

SENATE.

THURSDAY, May 17, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

SCHEINE GLUCKMANN.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate of appropriation to refund to the collector of customs at New York, N. Y., for payment by him to the person or persons entitled to receive the same, the sum of \$50, being the amount of a fine imposed in the case of Scheine Gluckmann, a passenger on the Hamburg-American steamer *Palatia*, etc.; which was referred to the Committee on Appropriations, and ordered to be printed.

APPROPRIATIONS FOR ORDNANCE DEPARTMENT.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, relative to an estimate of an appropriation for the Ordnance Department of the Army of \$92,680 for material, power lathes, machinists' tools, and tools and implements for the use of battery mechanics, and for such repairs to guns and carriages at the fortifications as can not be made at the post, etc.; which was referred to the Committee on Appropriations, and ordered to be printed.

ROCK ISLAND ARSENAL.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, relative to an estimate of the Chief of Ordnance, United States Army, for an appropriation of \$97,000 for repairs of wing dam of Rock Island Arsenal water power, etc.; which was referred to the Committee on Appropriations, and ordered to be printed.

COAST ARTILLERY TARGET PRACTICE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, relative to an estimate of the Chief of Ordnance, United States Army, of an appropriation of \$212,000 for subcaliber tubes, fittings, and ammunition for coast artillery target practice, etc.; which was referred to the Committee on Appropriations, and ordered to be printed.

M'LEOD BROTHERS.

The PRESIDENT pro tempore laid before the Senate a communication from the Interstate Commerce Commission, transmitting, in response to a resolution of the 15th instant, a statement of the facts in the case of McLeod Brothers, of Marietta, Kans., which was investigated by order of the Commission; which, on motion of Mr. HARRIS, was referred to the Committee on Interstate Commerce, and ordered to be printed.

REPORT ON TRANSPORTATION.

The PRESIDENT pro tempore laid before the Senate a communication from the Industrial Commission, transmitting a preliminary report on the subject of transportation, prepared in conformity with the act of Congress of June 18, 1898; which, with the accompanying paper, was referred to the Committee on Printing.

NOTES ON THE SPANISH-AMERICAN WAR.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the concurrent resolution of the Senate for printing copies of Notes on the Spanish-American War, Office of Naval Intelligence, Navy Department.

The amendments of the House were as follows:

In line 2, after the word "printed," insert "and bound."
In line 2, in place of "four thousand five hundred," insert "three thousand five hundred."
In line 6 strike out "one thousand five hundred" and insert "one thousand."
In line 7 strike out "two thousand five hundred" and insert "two thousand."

So as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed and bound 3,500 copies of Notes on the Spanish-American War, Office of Naval Intelligence, Navy Department, with accompanying papers and documents, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 500 copies for the use of the Navy Department.

Mr. PLATT of New York. I am authorized by the Committee on Printing to move that the Senate concur in the amendments of the House.

The motion was agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the report of the committee of conference on the bill (H. R. 9139) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1901, and for other purposes, further insisting on its disagreement to the amendments of the Senate, and asking a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ALLISON. I move that the Senate still further insist upon its amendments and agree to the further conference asked by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. ALLISON, Mr. SEWELL, and Mr. COKKRELL were appointed.

NAVAL APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HALE. I move that the Senate insist on its amendments and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. PERKINS, and Mr. TILLMAN were appointed.

ENROLLED BILL SIGNED.

The PRESIDENT pro tempore announced his signature to the enrolled bill (H. R. 2465) to grant an honorable discharge to George W. Shank, which had previously been signed by the Speaker of the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed with amendments the bill (S. 2931) to incorporate the American National Red Cross, and for other purposes; in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bill and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 11081) to provide for the holding of a term of the circuit and district courts of the United States at Superior, Wis.; and

A joint resolution (H. J. Res. 255) to print the reports of the American Historical Association.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 2757) to authorize the purchase of certain lands in the district of Alaska; and

A bill (H. R. 3334) to amend section 3005 of the Revised Statutes of the United States.

PETITIONS AND MEMORIALS.

Mr. PRITCHARD presented a petition of the Southern Cotton Spinners' Association, praying for the enactment of legislation providing for the appointment of a commission to investigate and report upon the commercial, industrial, and economic conditions in China, Japan, and other Asiatic countries; which was ordered to lie on the table.

Mr. GALLINGER. I present resolutions adopted by the Southern Cotton Spinners' Association of Charlotte, N. C., at their annual convention held on the 10th and 11th of May, in which they urge the passage of the bill providing for the appointment of a commission to investigate and report upon the commercial, industrial, and economic conditions of China, Japan, and other eastern Asiatic countries for the purpose of the further development of American trade in those lands. As the bill has been passed by the Senate, I move that the resolutions lie on the table.

The motion was agreed to.

Mr. CULLOM presented a petition of sundry citizens of Moccasin, Ill., praying that the charge of desertion be removed from the name of George R. Spore, late private in Company K, Fifty-ninth Regiment Illinois Volunteers; which was referred to the Committee on Military Affairs.

Mr. BUTLER. I present a petition, in the form of a resolution,

adopted by the Board of Trade of Asheville, N. C., praying for the passage of Senate bill No. 1439, to enlarge the powers of the Interstate Commerce Commission. The resolution is short, and I ask that it be printed in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the resolution was referred to the Committee on Interstate Commerce, and ordered to be printed in the RECORD, as follows:

Resolution adopted by the Asheville Board of Trade.

Whereas the decisions of the United States Supreme Court have limited the powers of the Interstate Commerce Commission to a judicial determination of facts relative to interstate freight and passenger rates; and

Whereas the said decisions have operated to defeat the purposes sought to be accomplished through the interstate-commerce act; and

Whereas legislative power and the right to examine documents of public and quasi public corporations and to require officers of such corporations to testify are indispensably requisite and necessary to clothe the Interstate Commerce Commission with plenary powers in the premises:

Resolved, That our Senators and Representatives in Congress be, and they are hereby, requested to employ every means to secure the passage of Senate bill No. 1439, or some other measure equally as effective in enlarging the powers of the Interstate Commerce Commission in the way and manner indicated.

Mr. FORAKER presented a petition of the transportation committee of the Chamber of Commerce of Cincinnati, Ohio, praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

Mr. BARD presented a petition of the Farm and Home Improvement Society, of Escondido, Cal., praying for the enactment of legislation providing for the preservation and reclamation of the arid public domain by the construction of storage reservoirs and irrigation works; which was referred to the Committee on Public Lands.

He also presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying that an increase be made in the appropriation for the hydraulic branch of the United States Geological Survey; which was referred to the Committee on Appropriations.

Mr. GEAR presented a petition of the Christian Endeavor Union of Salem, Iowa, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Army, and in all public buildings and grounds; which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the bill (S. 3181) to amend the act relating to the public printing and binding and the distribution of public documents, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. PETTUS, from the Committee on Military Affairs, to whom was referred the bill (S. 4044) to provide for the appointment of dental surgeons for service in the United States Army, reported it with an amendment.

Mr. CULLOM, from the Committee on Interstate Commerce, to whom was referred the bill (H. R. 6634) to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other purposes, reported it without amendment.

Mr. KYLE, from the Committee on Forest Reservations and the Protection of Game, to whom was referred the bill (H. R. 6063) to amend chapter 2 of the laws passed by the first session of the Fifty-fifth Congress of the United States, being an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes," approved June 4, 1897, reported it with an amendment.

Mr. SHOUP, from the Committee on Military Affairs, to whom was referred the amendment submitted by Mr. PENROSE on the 9th instant, authorizing the Secretary of the Treasury to reexamine and reaudit the claim of the State of Pennsylvania for money expended in aid of the suppression of the war of the rebellion, intended to be proposed to the sundry civil appropriation bill, submitted a favorable report thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 4688) granting an increase of pension to James U. Childs, reported it with amendments, and submitted a report thereon.

Mr. McMILLAN, from the Committee on Commerce, reported an amendment proposing to appropriate \$150,000 for a resurvey of the Great Lakes to be made under the direction of the Secretary of War and supervision of the Chief of Engineers of the Army, intended to be proposed to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, reported an amendment proposing to appropriate \$6,000 for lighting ship channels in cases where the interests of safe navigation may require, intended to

be proposed to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the amendment submitted by Mr. MALLORY on the 10th instant, proposing to appropriate \$30,000 for completing the improvement of the military roadway from Pensacola, Fla., to the national cemetery near that city, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. SEWELL, from the Committee on Military Affairs, to whom was referred the bill (S. 3489) authorizing and empowering the Secretary of War to grant the right of way for and the right to operate and maintain a line of railroad through the Fort Ontario Military Reservation, in the State of New York, to the Oswego and Rome Railroad Company, reported it without amendment, and submitted a report thereon.

COPYRIGHT LAWS.

Mr. PLATT of New York. I am directed by the Committee on Printing to report a resolution, and I ask for its present consideration.

The resolution was read, as follows:

Resolved by the Senate, That there be printed of the document relating to copyrights submitted by the Librarian of Congress 3,000 copies, of which number 500 shall be for the use of the Senate, 1,000 for the use of the House of Representatives, and 1,500 for the use of the Library of Congress, said documents to be bound in cloth.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. HALE. Mr. President, I do not object to the resolution, but I wish to call attention to what is a practice about printing that is entirely opposed to what formerly was done with resolutions of this kind. Ordinarily, when public documents were ordered printed in a former day, if, for instance, 10,000 copies were to be printed 2,500 would be given to the Senate and 5,000 to the House, and 2,500 to the Department or bureau. The practice has gradually grown up of reversing all this and giving only a small number to the Senate, about twice as many to the House, and the large proportion of the copies that are authorized to the Department or bureau.

Mr. PLATT of New York. I have not discovered any such principle in the recommendations that have been made heretofore.

Mr. HALE. The reason why I call attention to it now is because this very resolution which the Senator has reported gives 500 to the Senate, 1,000 to the House, and 1,500, as much as both Houses get, to the Library.

Mr. PLATT of New York. This is a peculiar case.

Mr. HALE. I am not reproaching the Senator. I had that experience when I had the honor to be chairman of the committee, and I know the Senator from Missouri [Mr. COCKRELL], who is not in his seat now, called attention to the growing practice and it had to be stopped. I have seen half a dozen resolutions go through within the last few weeks. Of course if the bureaus and Departments send the resolutions up—and they do; they did it in my day—if they are allowed they will get the distribution of most of the documents, and what is intended to be the distribution by Congress will gradually be destroyed.

I do not find fault with the Senator, because, as I say, I went through the same mill myself, and I found that I was reporting resolutions when I ought not to do so. I hope the Senator in future will bear this in mind and not, when a public document is to be distributed (I do not say this one, because this is a peculiar case), let the distribution by the two Houses be curtailed for the benefit of the bureaus and Departments.

Mr. PLATT of New York. The committee will regard the admonition of the Senator from Maine.

Mr. HALE. I hope so.

The resolution was agreed to.

COLONIES, DEPENDENCIES, ETC.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the resolution submitted by the Senator from Massachusetts [Mr. LODGE] on the 12th instant, to report it with an amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution, which was read, as follows:

Resolved, That in addition to the number of copies ordered to be printed of the document on colonies, dependencies, etc., 500 copies be printed for the use of the Library of Congress.

The amendment of the committee was, in line 4, after the word "Congress," to insert:

Said documents to be bound in paper.

The amendment was agreed to.

Mr. FORAKER. Will the chairman of the committee having it in charge state what document that is? There have been a number of documents in regard to colonies.

Mr. LODGE. I introduced the resolution. It is merely a list of books referring to the subject.

Mr. FORAKER. Oh, very well.

The resolution as amended was agreed to.

LIST OF MAPS.

Mr. PLATT of New York, from the Committee on Printing, reported the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring). That there be printed of "The list of maps relating to America now in the Library of Congress," as submitted by the Librarian of Congress, 3,500 copies, of which number 1,000 shall be for the use of the Senate, 1,500 for the use of the House of Representatives, and 1,000 for the use of the Library of Congress; said documents to be bound in cloth.

HENRY W. LEE.

Mr. McCUMBER, from the Committee on Indian Affairs, to whom was referred the bill (S. 3499) for the relief of Henry W. Lee, submitted a report thereon, accompanied by the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 3499) entitled "A bill for the relief of Henry W. Lee," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith, showing, among other pertinent matter, the value of the services referred to in said bill, if any, which were performed by the said Henry W. Lee, what compensation he has already received therefor, and what balance, if any, is still his due.

ROBERT G. DYHRENFURTH.

Mr. GALLINGER. Mr. President, I am directed by the Committee on Pensions, to whom was referred the bill (S. 4716) granting an increase of pension to Robert G. Dyhrenfurth, to report it with an amendment. This is a bill in behalf of General Dyhrenfurth, a well-known soldier, who is sick in hospital with what is supposed to be an incurable disease. I ask for the immediate consideration of the bill.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the committee was, in line 6, after the word "late," to insert "captain Company L, Seventeenth Regiment Illinois Volunteer Cavalry, and;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert G. Dyhrenfurth, late captain Company L, Seventeenth Regiment Illinois Volunteer Cavalry, and brevet major, United States Volunteers, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM R. M'FARLAND.

Mr. MASON, from the Committee on Claims, to whom was referred the bill (S. 2982) for the relief of William R. McFarland, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 2982) entitled "A bill for the relief of William R. McFarland," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

SIOUX CITY AND PACIFIC RAILWAY.

Mr. ALLISON. Mr. President, out of order, I desire to make a suggestion in reference to Senate bill 1291 and House bill 2864. These two bills relate to the matter of the settlement and adjustment with the Sioux City and Pacific Railway Company of its indebtedness to the United States. I ask that the House bill may be taken from the table and substituted on the Calendar for the Senate bill. I call the attention of the Senator from Kansas [Mr. HARRIS] to my request. They are substantially the same bills, I understand. The House bill will then become Order of Business No. 521, and the Senate bill may be indefinitely postponed. I do not ask for consideration this morning except to adjust the two bills so that when I or my colleague shall call up the bill we may have the House bill before us instead of the Senate bill. I trust there will be no objection.

Mr. HARRIS. I merely wish to say that I propose to offer

some amendments to the bill. I have no objection, of course, to the substitution of the House bill for the Senate bill.

Mr. ALLISON. Then I make that request.

The PRESIDENT pro tempore. Will the Senator state the Calendar number of the House bill which he asks may be substituted for the Senate bill?

Mr. ALLISON. I wish to substitute House bill 2864, which passed the House April 11, 1900, and is now No. 23 on the Table Calendar, for Senate bill 1291, Order of Business 521.

The PRESIDENT pro tempore. Without objection, the bill (H. R. 2864) to create a commission to make settlement and adjustment with the Sioux City and Pacific Railroad Company of its indebtedness to the Government of the United States will be substituted on the Calendar in place of the Senate bill.

Mr. ALLISON. I hope the Senate will give me an opportunity to call up this bill at an early day.

The PRESIDENT pro tempore. The bill (S. 1291) authorizing the settlement and adjustment with the Sioux City and Pacific Railway Company of its indebtedness to the United States will be indefinitely postponed.

BILLS INTRODUCED.

Mr. DEPEW introduced a bill (S. 4739) to pay Dr. Walter F. Robinson a salary as contract surgeon in the United States Army, from October 13, 1898, to January 2, 1899; which was read twice by its title, and referred to the Committee on Claims.

Mr. BARD introduced a bill (S. 4740) granting an increase of pension to Alice A. Fitch; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. KYLE introduced a bill (S. 4741) for the relief of the heirs of Margaret Kennedy; which was read twice by its title, and referred to the Committee on Claims.

Mr. MASON introduced a bill (S. 4742) granting an increase of pension to Jesse F. Gates; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 4743) to correct the military record of George A. Winslow; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. FORAKER introduced a bill (S. 4744) granting an increase of pension to Orange Sells; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SULLIVAN introduced a bill (S. 4745) granting an increase of pension to Charles S. Word; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SPOONER submitted an amendment relative to the construction of a breakwater to fully protect the harbor of Ashland, Wis., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. DEPEW submitted amendments proposing to appropriate \$8,130 for a sea wall at the river front at West Point, and \$69,200 for remodeling and improving "the Hotel," West Point, intended to be proposed by him to the Military Academy appropriation bill; which were referred to the Committee on Military Affairs, and ordered to be printed.

Mr. CHANDLER submitted an amendment proposing to appropriate \$50,000 for acquiring land in the square surrounding Fort Constitution, at Newcastle, N. H., to be used for barracks and quarters for troops, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Coast Defenses, and ordered to be printed.

Mr. PENROSE submitted an amendment proposing to appropriate \$30,000 for a light and fog signal station on the new breakwater, harbor of refuge, Delaware Bay, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment authorizing the construction or purchase of a revenue cutter for use at Philadelphia, at a cost not to exceed \$50,000, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. DAVIS submitted an amendment proposing to appropriate \$5,000 in partial payment of the claim of Mrs. Rita L. de Ruiz against the Spanish Government for the death of her husband, Dr. Ricardo Ruiz, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to appropriate \$750 to pay Dennis M. Kerr for extra services as assistant to the Committee on Pensions, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Pensions, and ordered to be printed.

Mr. PENROSE submitted an amendment proposing to appropriate \$2,479.03 to reimburse Theodore J. Arms, assistant paymaster, United States Navy, for his loss by reason of robbery of his safe at the United States naval station, San Juan, Porto Rico, March 10, 1899, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. BATE submitted an amendment proposing to appropriate \$2,081.25 to pay to the estate of Hopiahtubby, deceased, the amount of claim allowed as indemnity under treaty with the Choctaws and Chickasaws of 1855, on account of horses stolen by Comanche Indians in 1866, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HANNA submitted an amendment proposing to appropriate \$327.57 to pay to the Cleveland Steamship Company damages done to the merchant steamer *M. A. Hanna* by the U. S. S. *Michigan* on October 15, 1899, by means of a collision, intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

ADDITIONAL POWERS OF INTERSTATE COMMERCE COMMISSION.

Mr. CULLOM submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That 500 copies of the hearings before the Committee on Interstate Commerce upon Senate bill No. 1439 during the present session be printed for the use of the Senate.

UTILIZATION OF SUN POWER.

Mr. KYLE submitted the following resolution; which, with the accompanying document, was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the chairman of the Committee on Irrigation and Reclamation of Arid Lands is hereby empowered to appoint a subcommittee of three members to investigate the utilization of sun power in the agricultural and mechanical industries as set forth in the inventions of Professor Calver, of the Universal Power Company. The expenses of said investigation shall be paid from the contingent fund of the Senate.

PAYMENT OF STENOGRAPHER.

Mr. SHOUP submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the stenographer employed to report the hearings held and to be held by the Committee on Territories on bills referred to that committee be paid from the contingent fund of the Senate.

CASUALTIES AMONG FILIPINOS.

Mr. JONES of Arkansas submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be directed to inform the Senate, so far as the information may be in the possession of his Department, the number of Filipinos killed and the number wounded since the breaking out of the present hostilities with them, and also the number of prisoners captured by the United States, and the number now in our possession.

HOUSE BILLS REFERRED.

The joint resolution (H. J. Res. 255) to print the annual reports of the American Historical Association was read twice by its title, and referred to the Committee on Printing.

The bill (H. R. 11081) to provide for the holding of a term of the circuit and district courts of the United States at Superior, Wis., was read twice by its title.

Mr. SPOONER. I ask that the bill may lie upon the table instead of being referred to the Committee on the Judiciary. The Senate has already passed a bill almost identical in terms with the House bill.

The PRESIDENT pro tempore. The bill will lie upon the table at the request of the Senator from Wisconsin.

CIVIL-SERVICE APPOINTMENTS.

Mr. HOAR. I desire to enter a motion to reconsider the vote by which the Senate yesterday passed the bill (S. 283) in reference to the civil service and appointments thereunder, and I ask that it be recommitted to the Committee to Examine the Several Branches of the Civil Service. I am authorized by the majority of the committee to make that request.

The PRESIDENT pro tempore. The Chair is informed that the bill has been sent to the House of Representatives.

Mr. HOAR. Then I move that a message be sent to the House of Representatives requesting the recall of the bill.

The PRESIDENT pro tempore. The Senator from Massachusetts asks that the House of Representatives be requested to return the bill named by him. That order will be made in the absence of objection, and a motion will be entered to reconsider the vote by which the bill was ordered to be engrossed for a third reading, read the third time, and passed.

POST-OFFICE APPROPRIATION BILL.

Mr. WOLCOTT. I move that the Senate proceed to the consideration of the bill (H. R. 10301) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1901.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Post-Offices and Post-Roads with amendments.

Mr. WOLCOTT. I ask that the formal reading of the bill be dispensed with, and that the amendments of the committee be considered as the bill is read.

The PRESIDENT pro tempore. The Senator from Colorado asks that the formal reading of the bill be dispensed with, that it be read for amendment, and that the amendments of the committee shall receive first consideration. Is there objection? The Chair hears none.

Mr. RAWLINS. Mr. President, I ask the Senator from Colorado to yield to me.

Mr. WOLCOTT. The Senator from Utah has explained the nature of the bill he wishes to have considered. It is one that comes over from yesterday, and the objection which was made to it has been withdrawn. The bill was then read. In this instance I will yield, but after that I shall feel called upon to object to further yielding.

REFUNDING OF INTERNAL-REVENUE TAXES.

Mr. RAWLINS. I ask the Senate to proceed to the consideration of the bill (S. 95) to provide for the refunding of certain moneys illegally assessed and collected in the district of Utah. The bill was read yesterday.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDENT pro tempore. The bill was read in full to the Senate yesterday, and the amendments of the Committee on Claims were agreed to as in Committee of the Whole.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CUBAN INVESTIGATION.

Mr. PLATT of Connecticut. Mr. President, I ask the indulgence of the Senator who has charge of the appropriation bill for a moment in order that I may make a statement.

I had intended this morning to call up and submit some observations on the resolution introduced by the Senator from Georgia [Mr. BACON] for the investigation of certain affairs in Cuba, not by way of opposition to the resolution, but in answer to some suggestions which were made in the speech of the Senator from Georgia. However, I can not, of course, interfere with the appropriation bill. I simply desire to state that I shall seek an early opportunity to do so, and to bring the resolution before the Senate for action.

DEPARTMENT OF COMMERCE AND INDUSTRIES.

Mr. NELSON. Will the Senator from Colorado yield to me for a minute?

Mr. WOLCOTT. For what purpose?

Mr. NELSON. I desire to ask consent for the consideration of a bill at a future day.

Mr. WOLCOTT. I do not object to a request for consideration at some future day.

Mr. NELSON. The Committee on Commerce, in obedience to a universal desire, reported unanimously the bill (S. 738) to establish the department of commerce and industries. I ask unanimous consent that that bill may be taken up for consideration next Wednesday at the conclusion of the morning business.

Mr. LODGE. Mr. President, I do not want to make an objection, but I can not agree that that shall be construed as displacing the unfinished business.

The PRESIDENT pro tempore. It would not displace it if taken up immediately after the routine business in the morning hour.

Mr. LODGE. If it is understood that it is subject to the consideration of the unfinished business, I do not object.

The PRESIDENT pro tempore. The Senator from Minnesota asks unanimous consent that the bill known as the department of commerce bill may be considered immediately after the routine business on Wednesday next, not, however, interfering with appropriation bills. Is there objection?

Mr. MORGAN. What bill is that, Mr. President?

The PRESIDENT pro tempore. The department of commerce bill.

Mr. NELSON. It has been unanimously reported from the Committee on Commerce. It will not provoke debate to any extent, I think.

The PRESIDENT pro tempore. Is there objection?

Mr. MORGAN. I wish simply to make an inquiry. Is that the same bill concerning which the Senator from Minnesota made a request yesterday?

Mr. GALLINGER. It is the same bill.

Mr. NELSON. It is the same bill, but I make the request for consideration on a different day.

Mr. MORGAN. I do not think I can consent to that, Mr. President.

The PRESIDENT pro tempore. Objection is made.

AGRICULTURAL APPROPRIATION BILL.

Mr. PROCTOR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10538) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1901, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 4, 9, 12, 13, 17, 20, 24, 50, 51, 63, and 72.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 7, 8, 10, 11, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, 52, 53, 54, 55, 56, 57, 58, 60, 61, 62, 64, 65, 66, 67, 68, 69, 71, and 74, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$28,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$17,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$388,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$439,500;" and the Senate agree to the same.

REDFIELD PROCTOR,
FRANCIS E. WARREN,
WILLIAM B. BATE,
Managers on the part of the Senate.
J. W. WADSWORTH,
E. STEVENS HENRY,
JOHN S. WILLIAMS,
Managers on the part of the House.

The report was agreed to.

POST-OFFICE APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10301) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1901.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Post-Offices and Post-Roads was, under the head of "Office of the Postmaster-General," on page 2, line 10, before the word "Provided," to strike out:

For postal service in the newly acquired territory or territory held by military occupation, and for additional transportation to and from said territory, also including postal service for all military camps or stations, to be used in the discretion of the Postmaster-General, \$200,000.

And insert:

For postal service in the newly acquired territory in Porto Rico, the Hawaiian Islands, and the Philippine Islands, or territory held by military occupation, and for additional transportation to and from said territory, also including postal service for all military camps or stations, to be used in the discretion of the Postmaster-General, \$200,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 14, to strike out:

For printing and binding a revised edition of the Postal Laws and Regulations, consisting of not less than 100,000 copies, such edition to be prepared under the direction of the Postmaster-General and printed at the Government Printing Office; and the Postmaster-General may authorize the sale of copies of such edition not needed for the use of the Department to individuals at the cost thereof, and 10 per cent added, the proceeds of such sales to be deposited in the Treasury as part of the postal revenues, \$39,882, to be immediately available: *Provided*, That of this amount the Postmaster-General may pay to the assistant attorney for the Post-Office Department, who has been designated by him to prepare and edit said revised edition outside of office hours, not exceeding the sum of \$1,000 upon the completion of the work.

The amendment was agreed to.

The next amendment was, under the head of "Office of the First Assistant Postmaster-General," on page 3, line 9, after the word "be," to insert "transferred to the appropriation for compensation to clerks in post-offices and made;" so as to make the clause read:

For compensation to postmasters, \$18,000,000. Any portion thereof saved by the consolidation of post-offices under existing law shall be transferred to the appropriation for compensation to clerks in post-offices and made available for the payment of the salaries of superintendents and clerks at stations established in lieu of the post-offices thus discontinued.

The amendment was agreed to.

The next amendment was, on page 3, line 18, after the word "dollars," to strike out "each;" and in line 20, before the word "at," to strike out "thirteen" and insert "fifteen;" so as to make the clause read:

Salary and Allowance Division: For compensation to assistant postmasters at first and second class post-offices: One at \$3,500, 16 at \$3,000 each, 1 at \$2,500, 3 at \$2,000, 8 at \$1,900 each, 15 at \$1,800 each, 30 at \$1,700 each, 60 at \$1,600 each, 80 at \$1,500 each, 46 at \$1,400 each, 124 at \$1,300 each, 235 at \$1,200 each, 219 at \$1,100 each, and 230 at \$1,000 each; in all, for assistant postmasters, \$1,347,700.

The next amendment was, on page 8, line 22, to increase the number of dispatchers, letter distributors, mailing clerks, money-order

clerks, etc., from 122 to 147; and on page 9, line 7, to increase the appropriation for salaries of dispatchers, letter distributors, mailing clerks, money-order clerks, etc., from \$170,800 to \$205,800.

The amendment was agreed to.

The next amendment was, on page 9, line 16, to increase the number of stamp clerks, assistant superintendents money-order division, superintendents money-order division, superintendents of registry, etc., from 66 to 91; and in line 21, to increase the appropriation for the salaries of stamp clerks, assistant superintendents money-order division, superintendents money-order division, superintendents of registry, etc., from \$105,600 to \$145,600.

The amendment was agreed to.

The next amendment was, on page 12, line 5, after the word "hire," to strike out "at summer and winter resort post-offices, and for holiday and election service;" so as to make the clause read:

For temporary clerk hire, \$100,000.

The amendment was agreed to.

The next amendment was, on page 12, line 8, to increase the total appropriation for clerk hire in post-offices from \$12,754,700 to \$12,829,700.

The amendment was agreed to.

The reading of the bill was continued to the end of line 15 on page 13.

Mr. WOLCOTT. On page 13, line 17, there is a further committee amendment, which I will send to the desk and ask to have read.

The PRESIDENT pro tempore. The Senator from Colorado, from the Committee on Post-Offices and Post-Roads, offers an amendment, which will be stated.

The SECRETARY. On page 13, after the word "dollars," in line 18, it is proposed to strike out down to and including line 23, as follows:

Provided, That 5 per cent of the foregoing appropriations for the salary and allowance division of the First Assistant Postmaster-General's bureau may be available interchangeably for expenditures on the objects named, but no one item of the appropriation shall thereby be increased more than 5 per cent.

And to insert:

Provided, That in case the Postmaster-General shall rent canceling machines and motors he shall pay therefor, as annual rental, a sum not exceeding 15 per cent of the cost thereof: *And provided further*, That 5 per cent of the foregoing appropriations for the salary and allowance division of the First Assistant Postmaster-General's bureau may be available interchangeably for expenditures on the objects named, but no one item of the appropriation shall thereby be increased more than 5 per cent.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Post-Offices and Post-Roads was, on page 14, line 5, after the word "dollars," to strike out:

Provided, That letter carriers may be required to work not exceeding forty-eight hours during the six working days of each week, and such number of hours on Sundays as may be required by the needs of the service; and if a legal holiday shall occur on any working day, the service performed on said day shall be counted as eight hours without regard to the time actually employed. If any letter carrier is employed for a greater number of hours than forty-eight during the working days in any week, he shall be paid extra for the same in proportion to the salary fixed by law.

And insert:

Provided, That letter carriers may be required to work as nearly as practicable only eight hours on each working day, but not in any event exceeding forty-eight hours during the six working days of each week; and such number of hours on Sunday, not exceeding eight, as may be required by the needs of the service; and if a legal holiday shall occur on any working day, the service performed on said day, if less than eight hours, shall be counted as eight hours without regard to the time actually employed.

So as to make the clause read:

For pay of letter carriers in new offices entitled to free-delivery service under existing law, \$60,000: *Provided*, That letter carriers may be required to work as nearly as practicable only eight hours on each working day, but not in any event exceeding forty-eight hours during the six working days of each week; and such number of hours on Sunday, not exceeding eight, as may be required by the needs of the service; and if a legal holiday shall occur on any working day, the service performed on said day, if less than eight hours, shall be counted as eight hours without regard to the time actually employed.

The amendment was agreed to.

The next amendment was, under the head of "Office of the Second Assistant Postmaster-General," on page 17, after line 9, to insert:

For transportation of mail by pneumatic tube, or other similar devices, by purchase or otherwise, \$725,000.

Mr. WOLCOTT. Mr. President, upon this item in the bill there is certain to ensue a great deal of discussion. The committee not being unanimous upon the question, and it being one that will have to be settled by a vote of the Senate, for that reason, with the permission of the Senate, I will ask that that amendment be passed over until we have finished the other items in the bill, when we can give it more consideration.

The PRESIDENT pro tempore. The amendment will be passed over for the present.

The reading of the bill was resumed.

Mr. WOLCOTT. From the committee I offer the amendment which I send to the desk, and ask to have it read.

The PRESIDENT pro tempore. The Senator from Colorado offers a committee amendment, which will be stated.

The SECRETARY. On page 18, after the word "each," at the end of line 21, it is proposed to strike out "938 clerks, class 4b, at \$1,200 each; 694 clerks, class 4a, at \$1,150 each," and insert "1,632 clerks of class 4, at \$1,200 each;" on page 18, line 25, to strike out "3,405 clerks, class 3, at \$1,000 each; 2,187 clerks, class 2, at \$900 each," and insert "3,605 clerks, class 3, at \$1,000 each; 1,987 clerks, class 2, at not exceeding \$900 each."

The amendment was agreed to.

Mr. WOLCOTT. I offer a further amendment from the committee, on page 20, line 1, after the word "service," to strike out "\$9,809,200" and insert "\$9,863,900;" so as to make the clause read:

In all, for Railway Mail Service, \$9,863,900."

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of the following clause, on page 20, from line 8 to line 20, inclusive:

For necessary and special facilities on trunk lines from New York and Washington to Atlanta and New Orleans, \$171,238.75: *Provided*, That no part of the appropriation made by this paragraph shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interest of the postal service.

Mr. WOLCOTT. As to this item and the one following, for special facilities on trunk lines from Kansas City, Mo., to Newton, Kans., I feel it my duty to say that the committee by a majority vote included this provision against my wish. I am unalterably opposed to it as contrary to the whole principle upon which pay for the transportation of the mails is based, and it is a special facility which has never been recommended by any Postmaster-General. It passed the House of Representatives without a division, and I do not feel inclined to ask for a division upon it here, unless somebody else shall demand it.

The reading of the bill was resumed. The next amendment of the Committee on Post-Offices and Post-Roads was, under the head of "Office of the Fourth Assistant Postmaster-General," on page 23, after line 19, to strike out:

For mail depredations and post-office inspectors, including salaries of post-office inspectors and clerks, and 15 inspectors at \$2,000 per annum, and 10 inspectors at \$2,250 per annum, without per diem.

And insert:

For mail depredations and post-office inspectors, including salaries of 15 inspectors in charge of divisions at \$2,500 per annum, without per diem, and 15 inspectors at \$2,250 per annum, without per diem, and 15 inspectors at \$2,000 per annum, without per diem, and for salaries of post-office inspectors and clerks.

In line 13, after the word "place," to insert "nor exceeding sixty days in any one year to any one inspector;" and in line 15, after the word "diem," to insert:

And provided further, That of the amount herein appropriated, not to exceed \$2,000 may be expended, in the discretion of the Postmaster-General, for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals.

So as to make the clause read:

For mail depredations and post-office inspectors, including salaries of 15 inspectors in charge of divisions at \$2,500 per annum without per diem, and 15 inspectors at \$2,250 per annum without per diem, and 15 inspectors at \$2,000 per annum without per diem, and for salaries of post-office inspectors and clerks; and for per diem allowance of inspectors in the field while actually traveling on business for the Department, \$550,000: *Provided*, That the Postmaster-General may, in his discretion, allow post-office inspectors per diem while temporarily located at any place on duty away from home, or their designated domicile, for a period not exceeding twenty consecutive days at any one place, nor exceeding sixty days in any one year to any one inspector, and may make rules and regulations governing the foregoing provisions relating to per diem: And provided further, That, of the amount herein appropriated, not to exceed \$2,000 may be expended, in the discretion of the Postmaster-General, for the purpose of securing information concerning violations of the postal laws, and for services and information looking toward the apprehension of criminals.

The amendment was agreed to.

The next amendment was, on page 25, after line 16, to insert as a new section the following:

SEC. 4. That the commission to investigate the question whether or not excessive prices are paid to the railroad companies for the transportation of the mails and as compensation for postal-car service, and all sources of revenue and all expenditures of the postal service, and rates of postage upon all postal matter, authorized by section 5 of the act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1899, approved June 13, 1898, and by section 4 of the act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900, approved March 1, 1899, be, and it is hereby, continued with all the powers and duties given by said acts, and with directions to report to Congress on or before January 1, 1901, and that the unexpended balance of the sums appropriated is hereby reappropriated and made available for the expenses of said commission.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. PETTIGREW. Mr. President, the last amendment is for the purpose of continuing the commission which was created some years ago, and which has never reported. In the meantime we are expending fifteen or twenty million dollars more than the service is worth for transporting the mails. I should like to have

some good reason given why this commission should be continued in existence if it does not intend to report.

Mr. WOLCOTT. Mr. President, the criticism of the Senator from South Dakota is, upon its surface, well made. It is now nearly two years since the commission was appointed, consisting of four Senators and four members of the other House of Congress, charged with the duty of reporting generally upon the question of railway-mail pay, the question of mail rates, the rates of postage now charged, and all other questions germane and pertinent to the conduct of the postal service of the United States.

That commission met immediately after its appointment, and from time to time has taken testimony in different cities of the country. It has taken testimony in Boston, in New York, in Chicago, in San Francisco, and elsewhere. Its labors have been exhaustive, and they have been as continuous as circumstances would permit. It has taken something like 2,000 pages of testimony; it has endeavored in every way possible to reach a fair, a just, and a logical conclusion as to the reasonableness of the rates now paid by the Government for the transportation of its mails. It has had to meet and face many problems and many theories.

If the transportation of the mails, Mr. President, were in bulk, if it could be limited to certain trains in the day, or if it could be packed in bulk as are express matter and freight, it would not be a difficult proposition to reach some fair conclusion as to what would be an adequate charge for the transportation of the mails by the railroads of the country, even if they went upon first-class passenger trains at a rapid rate of speed; but we find that the mail service of the country is divided into mail carried by postal cars, which includes mail and nothing else, and which are practically moving railway post-offices. We find another class of mail carried in what are known as "compartment cars," in which half of a car is turned over to the postal authorities for the transportation of the mails, which are thrown off from station to station. We find upon investigation that the postal-car service is of an intricate and complicated character. The postal car is, as I have said, a traveling railway post-office. That car is furnished, as indicated, upon specifications as required by the Post-Office Department. It includes boxes for placing the letters intended for different points, and is full of paraphernalia intended to facilitate the distribution of the mails en route.

We have taken a great deal of testimony in different parts of the country as to the amount of mail which can be carried in these postal cars. We have met with varying responses. It seems they differ in different parts of the country. But we have learned at this time that on many of the densest routes of the country—and by "densest routes" I mean those on which the largest volume of mail is carried—the amount carried by the postal car does not exceed, and can not exceed, about 2,000 pounds of mail. Upon certain trains carrying great volumes of mail, carrying four or five postal cars for the distribution of the mail, like the through train which leaves New York or Jersey City for St. Louis or Chicago, there is sometimes carried a reserve car, like a baggage car, in which mail bags are solidly packed, and from time to time taken into the postal car for distribution, and the bags at once returned to the storage car.

The contention as to the price charged is this: There is a tendency to constantly increase these cars in size. They can carry apparently to a limit of about 2,000 pounds, and perhaps a little more. Any increase in the volume of mail can not, therefore, reduce proportionately the cost of the transportation of the mail by these postal cars. We are further investigating that subject. We have had employed for the commission a very eminent expert, Professor Adams, of Ann Arbor, who is the statistician for the Interstate Commerce Commission. He has given us several months of his time and has prepared a preliminary report, which will be of very great value to both Houses of Congress when it comes; but in the last testimony he gave upon cross-examination there was brought out the fact that it was absolutely essential that further testimony be taken upon certain points as a basis for a report upon which he would be willing to stand.

We have asked the chief statistician of the Census Bureau, who is investigating the question, to endeavor to ascertain for us from some independent sources the actual cost of the construction of postal cars. I have had a letter from him within the last few days saying that he is pursuing this investigation, but has not yet been able to obtain all the information desired.

The commission has had before it railroad officials from all the leading railroads of the country. We have had but little help from most of them. Some of them are of the opinion that the Government should pay upon the basis of space; others have assumed that the Government should pay a reasonable price based upon express rates; others have considered that it should be compared with passenger rates, and others of the officials and experts have taken the ground that there should be in the estimate of cost a charge made for the transportation of the railway mail clerks who carry on this business. We have endeavored to sift this testimony and get out from it that which is valuable. We

are trying to reduce it to some order. On the other hand, there have appeared before the commission experts who believe that the Government is paying too much for the transportation of its mails.

Mr. President, we have welcomed every witness, every expert, every person who has given this subject any study, who could enlighten the commission as to what would be a fair basis upon which to pay the railroads for the transportation of the mails and what theory should be adopted in the future in the payment of the railroads. These various people differ as widely as the spheres. We have had a very eminent gentleman before us, who has given very intelligent and careful testimony, who, when he first appeared before the commission, thought that the railroad rates should be reduced because we were paying 40 cents per ton per mile for the transportation of the mails. Further investigation by the Department developed the fact that it was apparently some 12½ cents per ton per mile. That is the maximum as found by our expert, Professor Adams, who has reported to our commission that the sum paid for the transportation of the mails is some 12½ cents per ton per mile. Within the last few weeks the Post-Office Department has conducted an independent system of weighing and investigation, and it is found that the weight of the mails grossly exceeds any amount heretofore computed; and it has been found that the equipment weighs nearly 40 per cent of the total amount of the weight of the mail carried. These computations need examination and digestion, and they will further reduce the actual sum in weight per ton per mile paid to the railroads for the transportation of the mail of the United States.

Further than that, the commission has investigated with a good deal of care the question of second-class mail matter at 1 cent a pound, the Senate being aware of the fact that under existing law 65 per cent in weight of the mails of the United States is carried for 3 per cent of its revenue. That subject has been investigated especially by the chairman of the Committee on Post-Offices of the House, a man who has better and more varied and more extended and better grounded knowledge of questions of second-class mail matter and generally of post-office questions that arise from time to time than any other man, I think, in the United States. We have taken extended testimony on that question. It is not yet closed. There are those who believe that if the sum paid to the railroads could be reduced, we could go to 1-cent letter postage. There are others who believe that if the sum charged for second-class mail matter were increased, we could go to 1-cent letter postage. That question is still before us, and so far without any indication in the minds of any of us, when 65 per cent in weight of the mail is carried for 3 per cent of its revenue, of a hope to go to 1-cent postage. These matters are under investigation by the committee.

We have done the best we could. If anybody is to blame for the delay, I think it is the chairman of the commission, who is now addressing the Senate. Our homes are in different parts of the country. The chairman of the Committee on Post-Offices and Post-Roads in the House is a citizen of California. I am fortunate enough to live in Colorado. My honorable associate upon the commission the Senator from Iowa [Mr. ALLISON] lives upon the Mississippi River. My honorable associate the Senator from New Hampshire [Mr. CHANDLER] lives in the New England States. In times of campaign and in times of election it has been difficult for us sometimes to get together. We have not always been able to meet as frequently, perhaps, as the public service would warrant, but we have done a great deal of work that does not appear here.

The chairman of the House committee has made a most extended and intelligent and able investigation of the subject in Europe of the transportation of mails, and the sum paid to railroads, and the basis upon which payments are allowed. That also is before the commission for further investigation.

I believe that we have proceeded, perhaps not rapidly, but we have proceeded in due course of business; and if this amendment shall be adopted, we shall be able to report at the close of the year. The sums expended by the commission have been very small. They are ridiculously small as measured by the actual expenditures of every member of the commission. Out of the \$15,000 appropriated—I think it was \$15,000; I will ask the Senator from Iowa if he remembers. Was not the sum appropriated \$15,000? I think it was.

Mr. ALLISON. Fifteen or twenty thousand dollars.

Mr. WOLCOTT. Fifteen thousand dollars. Out of that, \$8,000 is still in the Treasury. There have been no expenses practically at all except the expenses of rooms we have engaged and the sums which have been paid to witnesses. There is no waste of public money. I do not believe that there is a waste of public time, and it comes to this: We can not report now. There is not a man who has average intelligence who can take the 2,000 pages of testimony which the commission has taken on the subject of the compensation to be paid to railroads for the transportation of mails and make an intelligent report. I defy any man, I do not care how

prejudged his views may be when he goes into the consideration of the question—if he thinks we are grossly overpaying the railroads, or if he thinks we are underpaying the railroads, or if he has ideas that payment should be based upon space or based upon weight, or compared with express earnings or freight earnings or passenger earnings—to formulate out of the testimony we have taken, and we have taken it from the most intelligent men in the United States on both sides of the question, a logical plan or basis for the compensation of railroads.

It is true that nobody wants to pay the railroads more than they ought to receive, and no good citizen wants to pay them less than they ought to receive. Out of it we shall in time, by next winter, if our time shall be extended, be able, I sincerely believe, to present to Congress a fair basis for the compensation of railroads for carrying the mails.

Personally, there is no member of the commission who would not be willing to be relieved of this duty, for it is a public duty which is done at the sacrifice of other public interests and private business, and if we are continued we shall make a report, and if we are discharged the work that we have done must necessarily go for naught. I assure the Senate that out of the testimony we have taken, no plan, as I have said, can yet be deduced for making a logical basis for the payment of the Railway Mail Service.

It is for these reasons, Mr. President, that the Committee on Post-Offices and Post-Roads has added this amendment to the bill. As I said before, I desire to take to myself and upon my own shoulders most of the responsibility for the delay, and I feel bound to say, as to the chairman of the Post-Office Committee of the House, a member of this commission, that if he could have had his way we could have worked every day since we were appointed, barring Sundays, and I think he would have worked us on Sunday, too, if he could. But we have put into it such time as seemed possible, considering the fact that there are eight busy men upon the commission. Therefore I hope, in the interest of the public service, but not in the slightest degree for any personal reason of my own, that the commission may be extended until winter.

The PRESIDING OFFICER (Mr. CARTER in the chair). The Chair is advised that the amendment referred to has been agreed to.

Mr. PETTIGREW. Do I understand also that the other amendments proposed by the committee to the bill have been agreed to?

The PRESIDING OFFICER. With the exception of the amendment commencing in line 10, page 17, which was passed over.

Mr. PETTIGREW. Of course an amendment is in order at the present time reducing the amount of the railway mail pay.

The PRESIDING OFFICER. The bill is in the Senate as in Committee of the Whole and open to amendment; but, as the Chair understands, the committee amendments are first to be disposed of.

Mr. WOLCOTT. This is the last of the committee amendments.

The PRESIDING OFFICER. This is the last committee amendment, beginning in line 10, page 17. The question is on agreeing to the amendment.

Mr. WOLCOTT. There will be discussion upon this amendment. I ask for information—

Mr. CHANDLER. Mr. President, what is the question?

The PRESIDING OFFICER. The question is on agreeing to the amendment beginning in line 10, page 17, which was passed over in the course of the reading of the bill.

Mr. WOLCOTT. Yes. Is that now before the Senate?

The PRESIDING OFFICER. It is now before the Senate.

Mr. CHANDLER. Before discussion proceeds on that amendment, I wish to know the exact condition of the bill. I understand all the other amendments have been agreed to.

The PRESIDING OFFICER. All the committee amendments have been agreed to with the exception of the one now under consideration.

Mr. PETTIGREW. I hope this amendment will not be considered as agreed to.

Mr. DANIEL. Is the amendment on page 17, line 10, now before the Senate?

Mr. PETTIGREW. I ask unanimous consent that this amendment may be left open for discussion after disposing of the pneumatic-tube service amendment.

The PRESIDING OFFICER. To which amendment does the Senator from South Dakota refer?

Mr. PETTIGREW. The last amendment in regard to the commission. That question is involved in the question of reducing the amount of compensation for railroad mail service, upon which discussion will occur, undoubtedly, before the bill is disposed of. I think it had better be left open. I intended to request that before it was acted upon. I was not aware it was acted upon so suddenly.

Mr. WOLCOTT. I desire to say, as to the amendment to extend the time of the commission, that I hope the Senator from South Dakota will not ask that it go over subject to discussion upon the pneumatic-tube service amendment, with which it has

no sort of relation. If there is to be discussion on the proposition to reduce the amount of mail allowance, I should not think it would have the slightest relation to this amendment, because if under this bill 10 per cent shall be taken off the allowances for railway mail transportation, it simply makes a deficiency to the extent of 10 per cent of the amount because it is automatic, and the reduction of the amount does not change the law, and the roads would receive exactly the same sum they now receive, only it would go into a deficiency bill.

I hope the Senator from South Dakota will not insist, and if he does I hope the Senate will not agree, that we shall postpone the amendment respecting the commission until after there has been certainly protracted, and I hope not heated, discussion over the pneumatic-tube service. I do not want to mix those two questions together. I am willing to mix the question of the continuance of the commission and any reduction the Senator may ask.

Mr. PETTIGREW. As I understand, the commission was appointed to investigate all of these questions, pneumatic tube, etc. I have felt as though the commission was created for the purpose of delay rather than for the purpose of securing a remedy for the excessive charges of railroads for transporting the mails. We have extended the life of this commission once, and we are asked to extend it again. I do not believe the American people ought to stand by and have the existence of this commission used as an excuse for perpetuating a system which, I believe, takes from the Treasury of the United States \$15,000,000 that is not earned by anybody. Therefore I think we should dispose of these questions one after the other, and that until we have discussed the question of railway-mail pay the last amendment to the bill should not be considered as adopted.

Neither do I think the Senator should take advantage of the fact that in the reading of the bill the Chair announced "agreed to" without any voting on the part of anybody as an adoption of the amendment. Therefore I think it should properly, for I think it is the usual request, be left open until these other questions are discussed. That is all.

Mr. CHANDLER. Will the Senator from South Dakota allow me to say that of course it is open, because the debate may be renewed in the Senate, and it is a matter of absolute indifference whether it is dealt with now or later.

Mr. PETTIGREW. Of course; but I thought we might dispose of this debate as in Committee of the Whole, but if not in Committee of the Whole I suppose we can carry it into the Senate, because we can insist that each amendment shall be voted upon separately in the Senate, and thereby bring up the question and have a direct vote upon this amendment when it is reported from the Committee of the Whole. I do not know that I care very much which way is pursued.

Mr. DANIEL. This pneumatic-tube amendment referred to is not in order.

Mr. WOLCOTT. It has been passed over for the moment.

Mr. DANIEL. It might be thrown out on a point of order.

Mr. WOLCOTT. It has been passed over for the present until we finish the rest of the bill.

The PRESIDING OFFICER. The Senator from South Dakota asks unanimous consent that the vote whereby section 4, the last amendment, was agreed to, may be reconsidered.

Mr. ALLISON. I do not think it is very important one way or the other. We might as well allow this action to stand, if the Senator from South Dakota will allow it. A motion to reconsider will be in order at any time during the progress of the bill, if he desires to make that motion. Now, why not let it go sub silentio—

Mr. PETTIGREW. If anyone objects, I shall have to.

Mr. ALLISON. I shall not object. But I hope that as the amendment has been agreed to it will stand, and if at a later time the Senator wants to move to reconsider, he can do so.

Mr. WOLCOTT. I will say that for one I shall not object to any treatment the Senate desires to accord to the committee amendment continuing the commission. If there is objection to it, and if a majority of the Senate desires that it shall go out, or if any individual member of the Senate desires to criticize it or the commission, I do not desire any action now taken to bind anybody. I am ready to do whatever anybody wants to do about it.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota? The Chair hears none. The vote is therefore reconsidered.

Mr. WOLCOTT. If it be reconsidered, can we vote upon it now or discuss it now?

Mr. CHANDLER. It is before the Senate.

Mr. WOLCOTT. It is before the Senate, I take it.

The PRESIDING OFFICER. It is now before the Senate.

Mr. PETTIGREW. There will be an amendment offered to reduce the railway mail pay, and I simply desire that this question shall be left open until that is disposed of. I do not care to discuss this. After the other question is disposed of I presume I shall consider it proper enough to continue the commission, but I do not want the continuation of the commission to be used as an excuse for a refusal to reduce the amount.

Mr. WOLCOTT. Let it go over. I shall consent to its going over until we have voted on the amendment that the Senator from South Dakota or any other Senator may offer respecting the reduction of the appropriation for railway mail service. Now I suppose we return to the consideration of the amendment on page 17, having relation to the pneumatic-tube service.

The PRESIDING OFFICER. The unanimous consent in that behalf, as the Chair is advised, was that it should be considered after all other amendments were disposed of.

Mr. WOLCOTT. I am quite certain that the Senator from Illinois [Mr. MASON] desires to be present at the time of the discussion of this amendment.

Mr. ALLISON. He is here.

Mr. WOLCOTT. Very well.

Mr. BUTLER rose.

Mr. WOLCOTT. Is the Senator from North Carolina ready to proceed? If so, I will give way to him.

Mr. BUTLER. I desire to offer the amendment of which I gave notice and which is pending.

The SECRETARY. On page 18, lines 7 and 8, strike out the words "thirty-three million eight hundred and seventy thousand dollars" and insert in lieu thereof:

Thirty million four hundred and eighty-three thousand dollars; and the Postmaster-General is hereby authorized and directed to readjust the compensation to be paid from and after the 1st day of July, 1900, for the transportation of mails on railway routes by reducing the compensation to all railroad companies for the transportation of mails at least 10 per cent per annum from the rate fixed in section 402 of the Revised Statutes, as amended by act of July 12, 1876, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1877, and for other purposes," and as further amended by act of June 17, 1878, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1879, and for other purposes," for the transportation of mails on the basis of the average weight; and the above amount appropriated shall cover full compensation for railway mail transportation.

Mr. WOLCOTT. The Senator from North Carolina, whose attention I ask for a moment, was not aware of the fact that the Chair had placed before the Senate for consideration the pneumatic-tube amendment, but in order that the Senator from North Carolina may now pursue his amendment, if he is ready to proceed with it, which is the same amendment that the Senator from South Dakota gave notice he would likewise call up, I will consent with pleasure that the pneumatic-tube amendment go over, so that we may now take up the amendment offered by the Senator from North Carolina.

Mr. BUTLER. I will say to the Senator that I am perfectly willing that the Senate should take up the pneumatic-tube service amendment.

Mr. WOLCOTT. As the Senator has introduced this amendment, I shall be very glad if he will go on with it now.

The PRESIDING OFFICER. In the absence of objection, that will be the order.

Mr. BUTLER. Mr. President, I hope I will be pardoned if before proceeding I suggest the absence of a quorum. I will state to Senators when they are here why I put them to that trouble.

The PRESIDING OFFICER. The Senator from North Carolina suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Frye,	McMillan,	Sewell,
Bacon,	Gallinger,	Mallory,	Shoup,
Bard,	Gear,	Mason,	Simon,
Berry,	Hansbrough,	Morgan,	Spooner,
Burrows,	Harris,	Perkins,	Stewart,
Butler,	Heitfeld,	Pettigrew,	Sullivan,
Caffery,	Hoar,	Pettus,	Teller,
Chandler,	Kean,	Platt, Conn.	Turley,
Clay,	Kyle,	Platt, N. Y.	Turner,
Culberson,	Lindsay,	Pritchard,	Vest,
Cullom,	Lodge,	Quarles,	Wellington,
Daniel,	McBride,	Rawlins,	Wolcott.
Elkins,	McComas,	Ross,	
Fairbanks,	McCumber,	Scott,	

The PRESIDING OFFICER. Fifty-four Senators having answered to their names, a quorum is present.

[Mr. BUTLER addressed the Senate. See Appendix.]

The PRESIDENT pro tempore. The question is on the amendment of the Senator from North Carolina [Mr. BUTLER]. [Putting the question.]

Mr. WOLCOTT. Mr. President, I hope that that amendment will not be declared carried, because the Senator from South Dakota [Mr. PETTIGREW] has some remarks to make upon it.

The PRESIDENT pro tempore. The question is still open on the amendment of the Senator from North Carolina.

Mr. PETTIGREW. Mr. President, on February 28, 1897, a discussion occurred in the Senate with regard to reducing the railway mail pay. At that time I think we showed pretty conclusively that the charge was excessive, and that the sum paid for transporting the mails by rail should be reduced. There was little argument in opposition to the figures which we presented, which

I think showed, according to the official reports of the Department, that we were paying about ten times as much per pound for transporting the mails as was paid by the express companies of the country for transporting express matter.

Unable to meet our contention, the friends of the railroads in this body insisted upon a commission to investigate the question of railway mail pay, and an amendment was adopted for that purpose. It was three years ago last February when we adopted the first amendment providing for a commission to investigate this subject and furnish us information upon it. In conference our amendment was promptly surrendered by the Senate conferees, and so a year was gained, during which the railroads could receive this enormous, exorbitant, and dishonest compensation for their services.

In 1893 we again attacked this item of appropriation and asked for a reduction in the interests of the people of this country and in the interests of the Treasury. Again we were confronted with an amendment to appoint a commission; again we were told that we had not sufficient information; again we were told that the only way this reduction could be had was by securing the facts through a commission of the two Houses of Congress. Our facts were not answered; our contention was not met. The plea was made for time in order to secure information, and so the amendment was adopted authorizing a commission. This time it would hardly do to surrender the amendment in conference, and therefore it became a part of the law.

A year rolled around, and last year the Post-Office appropriation bill came up again. We again insisted upon a reduction; but the commission had not reported; they asked for more time, and the only argument with which we were met was that the information was not sufficient on which to base action. There was a tacit admission that the charges for carrying the mails were too high and that there ought to be a reduction; but we were met again by the fact that this commission had not reported. They asked for more time, and so the time was extended.

This year we again attacked this excessive charge, increased by some millions of dollars by the increased volume of business, and we are told that the commission is not yet ready to report, that they must have more time. Do they bring us any fact or any fragment of fact or any information after all this time? If they do, I have not seen it. If they have printed their testimony I have not found it. We are required now to wait again another year. Next year there will be a short session of Congress. Congress will meet in December and adjourn on the 4th of March. If their report is presented in January, no one will have an opportunity to examine it. If they rely upon the present Second Assistant Postmaster-General their report will simply be a plea in the interest of the railroads. I say that because of his testimony before the Committee on Appropriations.

There has been a new weighing of the mails, I understand. We know little or nothing about it, but I understand that the amount of the weight of the mails under this new weighing—we know nothing about the system by which it was conducted—has been nearly doubled. Of course I shall not, without corroborating evidence, without an opportunity to carefully scrutinize and investigate any report that may come from the office of the Second Assistant Postmaster-General, feel that I am warranted in accepting it as true.

Mr. President, it has been the custom for years to select as the Second Assistant Postmaster-General some man from the railroad service of this country, so as to more carefully guard and protect the interests of this transportation job by which so many millions are taken out of the Treasury every year.

Testimony was taken by the Committee on Appropriations early in May, 1898, and Mr. Neilson, who was then Second Assistant Postmaster-General, testified as follows:

You told us something of your business before you went into the Post Office.

Mr. NEILSON. Yes.

Senator PETTIGREW. What was that?

Mr. NEILSON. I was in the railroad service.

Senator PETTIGREW. What railroads?

Mr. NEILSON. I was on the Northern Pacific and on the Erie. I was on the Erie for twelve years and on the Cincinnati, Hamilton and Dayton for eight years.

Senator PETTIGREW. Which road did you leave at the time you went into the Department?

Mr. NEILSON. The Cincinnati, Hamilton and Dayton.

Senator PETTIGREW. What is the full name of that road?

Mr. NEILSON. The Cincinnati, Hamilton and Dayton.

Senator PETTIGREW. What was your position on that road?

Mr. NEILSON. General superintendent of the road.

Senator PETTIGREW. Who was your predecessor in the Post-Office service?

Mr. NEILSON. Mr. J. Lowrie Bell.

Senator CULLOM. He was a railroad man, too, was he not, or had been?

Mr. NEILSON. He is now the general traffic manager of the Central Railroad of New Jersey.

So that the two predecessors of the present Second Assistant Postmaster-General were railroad officials, who resigned places where they received salaries very much larger than were paid them by the Government. They were undoubtedly placed in the

position for the purpose of protecting the interests of the railroads in this exorbitant charge. After this exposure, and after the comments made in Congress with regard to it, it would hardly do to select another railroad superintendent or railroad traffic manager to conduct the Railway Mail Service of this country through the Post-Office Department. Therefore they found a man from Pennsylvania, Mr. Shallenberger, the present incumbent, who answers their purpose equally as well. I could show from his testimony taken before our committee—but I will not go into that subject—that his constant aim and purpose was to protect the railroads and dull the effect and force of whatever evidence was brought to the contrary.

I will read a sample of that evidence simply as an illustration of the point. For instance, he testified before the committee that each railroad car hauling passengers earned more than the cars earned that carried the mail; and then he takes as an illustration the Pennsylvania Railroad and says that their average traffic was thirty passengers per car, or 60 cents per car per mile; and then he says that the compensation of the railroads for carrying the mail was 23 cents per car per mile. The Second Assistant Postmaster-General takes up the question of paying for hauling passengers, and says that is the proper basis of comparison. Then he proceeds to say that on the Pennsylvania Railroad they carry thirty passengers to a car at 2 cents a mile per passenger. The railroad company would receive 60 cents a car per mile per passenger, while the railway mail pay is 26 cents a car per mile.

He takes, then, the average of the car-mile pay for transporting the mails for the whole United States, and then takes certain trains on the Pennsylvania Railroad as a comparison with the passenger traffic. The Interstate Commerce Commission's report shows that the railroads of the United States carry on an average but nine persons to the car. Taking this as a basis and 2 cents a mile as the compensation, the passenger compensation per car mile for passenger cars is 18 cents, instead of 26 cents, which the railroads receive per car mile for carrying the mail. That is the class of evidence which the Second Assistant Postmaster-General gave to the Committee on Appropriations. It was a special plea in every instance in the interest of the railroads and not in the interest of the Government, which was paying him a salary.

I contend that the proper basis for estimating the pay for carrying the mails would be the charge for carrying express, and I ask to have the Secretary read some facts in regard to this matter which are contained in the remarks I made on May 6, 1898.

The Secretary read as follows:

Now, let us see. According to the census report of 1890 the express companies of this country sent 115,000,000 packages, and the total weight of all the packages, not counting 17,000,000 of them as weighing anything, because their weight is not given, was 3,292,000,000 pounds. Dividing the 3,292,000,000 pounds of weight by the 115,000,000 packages, we find that the average weight of express packages was 28 pounds. Yet we are regaled with this statement, which is deemed worthy to be put into the RECORD upon which to rest their case, that most of the express matter is in carload lots—great quantities of vegetables and fruit. Why, Mr. President, fruit does not go as express matter, and this railroad manager knows it. It goes as fast freight. Fruit and perishable stuff comes to the North as fast freight; not as express. Occasionally a little is sent by express, but the average weight of express packages sent in this country in 1890 was 28 pounds.

Again we have a parallel between the mail and the express, and, what is more, the compensation received for these express packages was 16½ cents apiece. Yet you will find all through the statements of these lawyers that they never carry a package for less than 25 cents by express. Then proceed to figure what the result would be if they got 25 cents apiece for all the packages they carried. Here, then, is a service performed on the same trains and in an identical manner for which the Government of the United States pays 5½ cents per pound and the express companies pay 5½ mills.

In other words, the Government pays ten times as much per pound for carrying the mails, to say nothing about the railway postal car service, as the express companies pay; and yet the recipients of this bounty insist that we are not paying enough. The fact is we are paying ten times too much. If we paid the \$4,000,000 for the use of the cars and \$3,000,000 for the weight of the mail, we would pay for the mail, in proportion to its weight, what the express companies are paying to-day. But granting them five times that and paying them \$15,000,000, there would be a saving of \$15,000,000 to the Government and the Treasury, and we would then pay five times what the express companies pay for their transportation.

Mr. PETTIGREW. The express business of this country is carried upon passenger trains. The express agent rides with the express matter. He is hauled by the railroad company for nothing. The mail is carried upon passenger trains. The route agent or railway mail clerk rides with the mail, and no fare is paid for him. The express matter is brought to the train and taken away. The mail matter is carried by the Government, except in a few cases of small stations, to the railroad trains, and it is taken from the railroad trains by the Government. There is an almost absolute parallel between these two services. The only distinction of any moment is in the case of the railway post-office cars, where the mail is distributed in transit; and in that case we pay for the use of the car in addition to the pay for carrying the mails. Although these cars, as the Senator from Colorado says, carry but 2,000 pounds on the average, we pay for the 2,000 pounds carried in that car the same price per pound that we pay for carrying mail in any other car, and then we pay for the use of that car \$2,000 a year more than it would cost to build the car. In other words, we pay \$4,000 a year for the use of these railway mail cars or

post-offices within which to distribute the mail, and you can build them for \$2,000 a piece, or at least you could in 1898. Yet we pay for carrying the mails pound for pound, in addition to the rent of the cars, ten times as much as the express companies pay for carrying express matter.

In the face of these facts, all we can get, after presenting them for three successive years, is a commission that never wants to report. Of course if we pay to the railroads \$37,000,000 a year for a service which they would do for the express companies for \$3,700,000 a year, each year's delay is of vast value to them. It seems to me, in the face of these facts, unless they are conclusively answered the Senate can do nothing less at least than to make a reduction of 10 per cent as provided for in the amendment of the Senator from North Carolina.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The question is on agreeing to the amendment proposed by the Senator from North Carolina [Mr. BUTLER].

Mr. BUTLER. Before the amendment is voted on, I ask permission, which is in order, to change the amendment at the end of line 4 by striking out "is" and inserting "in expending this appropriation;" so as to read:

The Postmaster-General, in expending this appropriation, is hereby authorized, etc.

And on page 2, lines 5, 6, and 7, of the amendment I ask that it be modified to read as follows:

And no more than the above amount appropriated shall be paid for railway mail transportation for the coming fiscal year.

The wording does not change the effect at all. It merely makes the language plainer.

Mr. WOLCOTT. The question has been argued so frequently, again and again, that I do not intend to go into any discussion of it. Some of the statements made would be preposterous if they did not fall from the lips of so conservative a statesman as the Senator from North Carolina.

The cost of carrying the mail decreases every year. Since 1884 the cost of carrying the freight, railroad freight, has been reduced 41 per cent; passenger rates have been reduced 23 per cent, and the cost of carrying the mail has been reduced 39 per cent. It costs, on the average, from 8 to 12 cents per ton per mile to carry the mail, taking an average of the whole. The Senator from North Carolina says that passengers are carried cheaper throughout the country than the mails are carried. Of course it is not so, as a matter of fact. The Senator suggested the other day in committee that mails of his own weight would be carried to New York at a greater charge than the road would carry him. I figured it up. If the Senator weighs about a hundred and fifty pounds and if he paid his fare between here and New York, as I have no doubt he does when he travels, he would pay 34 cents per ton per mile for getting himself carried, and they carry the mail for from 8 to 12 cents per ton per mile.

All these figures are mere vagaries. The rates are being reduced. There is a very grave problem resting under this whole question, and our commission must deal with it if it is to be dealt with intelligently, and of course if you arbitrarily reduce the mail rates 10 per cent, then there is nothing left for the commission to report upon.

Mr. BUTLER. The Senator says the rate for carrying the mail is being reduced, but I think he will admit himself that that statement is not fair. While it is to a certain extent correct, really it is not correct, for there has been no reduction since 1878. There has been only a reduction in this way, by the amount of matter above 5,000 pounds—

Mr. WOLCOTT. Certainly; that reduces the price of the whole.

Mr. BUTLER. That is twenty-one dollars and something a ton—the rate above 5,000 pounds.

Mr. WOLCOTT. Here is what Professor Adams says:

From 1880 the drop has been from 20 cents down to 12 cents—that is, about 39 per cent.

In 1880 it cost 20 cents. Now it costs 12 cents.

Mr. BUTLER. All that means is simply this, that the railroads are getting more business—

Mr. WOLCOTT. Of course.

Mr. BUTLER. A large number of roads that were getting less than 5,000 pounds have been getting 15,000 or 20,000 or a hundred thousand pounds.

Mr. WOLCOTT. That is the reason of the reduced freight rate—increased volume of business.

Mr. BUTLER. I will call the Senator's attention to the fact that the rate is just the same as it was in 1878. The rate is precisely the same. The pay is the same. The law is the same. There is this larger amount of mail carried, and therefore there is a larger number of roads that carry more than 5,000 pounds. That is all there is of it.

Mr. WOLCOTT. That is right.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from North Carolina. [Putting the question.] By the sound the yeas have it.

Mr. BUTLER. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BATE. I should like to be informed what the amendment is. The PRESIDENT pro tempore. The amendment will again be stated.

Mr. CLAY. Mr. President, is it in order to say a word? I desire to state, as a member of the Committee on Post-Offices and Post Roads, that I voted against this amendment and shall vote against it now. I do so because of the very simple fact that I have no sufficient data on which to base a reduction. A postal commission was appointed to take testimony and thoroughly examine this question with a view of furnishing data on which to base a reduction, if one should be made. That commission, composed of honorable gentlemen, Senators and Representatives, came before us and asked for sufficient time to make a report. They asked until the next session of Congress. We came to the conclusion that it would be best for the commission to report their findings and all the evidence in order for us to reach a conclusion. In order to make a reduction of three or four million dollars, it is essential that all the facts shall be ascertained, the cost of carrying the mails, etc., that we may act in a business way. Simply to state upon general principles that there ought to be a reduction of three or four or five or six million dollars, without facts upon which to base the reduction, is not a businesslike method of transacting public business.

Mr. BUTLER. Will the Senator from Georgia pardon me for a moment?

Mr. CLAY. With pleasure.

Mr. BUTLER. If I were very sensitive, I for one might feel a little hurt that the Senator, a colleague in the Senate, should say that there are no facts or that he is asked to do it on a general statement without facts. Has the Senator listened to what little I have said; and I have not given half of the facts I gave a year ago and two years ago? I have had read from the RECORD a great many facts given then. I have had statistics from Poor's Railroad Manual; I have had statistics from census reports; I have had statements made by railroad attorneys and railroad presidents; I have had every fact that seemed to be authentic, from sources that no one could question, put into the RECORD. I have discussed them time and time again. Ever since the Senator has been here and before he came to the Senate I have stood upon the floor and challenged any Senator, if I was wrong, to point it out; if he had any other facts, to produce them; if my deductions were wrong, to show it. The Senator knows that nobody has done so or attempted to do it.

The only thing we have been met with year after year was delay, and when there was no chance to delay any longer, then the opponents of reduction, those who did not want any reduction, those who have stood up and voted against it each time and declared they were opposed to a reduction, proposed a commission, and year after year it has failed to report. It will be three years now if we allow them to go over.

Mr. CLAY. I did not intend to yield for a speech. I expected to take but a minute of the time of the Senate. I did not desire to make any reflection upon the Senator from North Carolina. In regard to the charge or the assault that he makes upon the Postal Commission, I will say that simply to name those gentlemen is a refutation of the charge the Senator from North Carolina makes.

Mr. BUTLER. What charge?

Mr. CLAY. I understood the Senator from North Carolina to state on the floor of the Senate that the Postal Commission had endeavored to delay a report for the purpose of defeating this reduction, and that they had delayed it and would continue to delay it for the purpose of preventing a reduction.

Mr. BUTLER. If the Senator will look at my remarks when they appear in the RECORD, he will see that I did not put it just that way. I said I would not charge that they had purposely done so, but I said the result had been to delay and to prevent the Senate from acting when it no doubt would have acted. I said that the commission was composed of men, unfortunately—which I did not think was fair to the Senate or to the country—who were known to be opposed to any reduction.

Mr. CLAY. I still insist that to name the Postal Commission is a refutation of any intimation that they do not intend to make a fair report. Take the committee from the Senate—Senator WOLCOTT, Senator ALLISON, Senator CHANDLER, Senator MARTIN. Take the committee from the House—Mr. LOUD, from California; Mr. MOODY, from Massachusetts; Mr. FLEMING, from Georgia, and Mr. CATCHINGS, from Mississippi. Simply to name those Senators and Representatives upon the floor of the Senate is a refutation of any charge that any Senator might intimate that they do not intend to make a just and fair report.

I do not hesitate to say that, in the event of the evidence taken and the report of the commission justifying us at the next session of Congress in making a reduction, I shall be in favor of it. I do not believe when you come to legislate that simply because a corporation is involved Senators should rise upon the floor of the

Senate and make a wholesale charge when you have not any facts or data upon which to base those charges.

I desire to make no reflection upon my friend the Senator from North Carolina, but the Committee on Post-Offices and Post-Roads simply determined that inasmuch as this report had not been made, and inasmuch as the commission asked until the next session of Congress to make the report, the public service demanded that we should wait and have all the facts before us before we acted and made a reduction. I wish to say, in justice to the Committee on Post-Offices and Post-Roads, that when the evidence is in and the report is made, in my opinion they will act fearlessly, conscientiously, and for the best interest of the country.

Mr. BUTLER. The Senator knows that I would have offered an amendment, as I have years and years before, for a 25 per cent reduction, for all the facts prove it ought to be that much, had this report been made, provided there had not been facts to counteract it. I have therefore offered an amendment for simply a 10 per cent reduction, which is a moderate and conservative amendment, such a one as was made twenty-two years ago.

Mr. CLAY. I still reply that we appointed the Postal Commission to make this examination, to take this testimony, and to make this report, and by them to some extent we must be guided for the facts in the case.

Mr. PETTIGREW. Mr. President, in 1897 we tried to secure a reduction of the railway pay, and we showed that we were paying ten times as much for carrying a pound of mail as the express companies paid for carrying express matter. We showed it by proof so conclusive to the friends of the railroad that they were afraid to meet the issue. Therefore they put in a plea of avoidance and asked for a commission. They said we had not sufficient facts. They made the same speech made now by the Senator from Georgia. We adopted an amendment to appoint a commission. It went into conference, and it was surrendered promptly by the Senate conferees. One of the conferees is a member of the present commission. The next year we came in here with the same proof. It was not met, it was not answered, and again the only thing that was presented was that we must have a commission; and so we adopted an amendment appointing a commission, and the argument in favor of it—and the only argument presented—was the well-worn and threadbare speech just made by the Senator from Georgia, that we had not sufficient facts; we needed more information.

Well, this commission was appointed, and it spent a year. It did not give us one scintilla of evidence. It made no report. It presented no testimony. It printed nothing. Then they came here and made the same speech now repeated by the Senator from Georgia, and asked another extension, and we gave it. To-day, instead of the commission making this speech, they have a new recruit from the South, the Senator from Georgia, who comes in here and makes it for them, and then regales us with the refreshing statement that he does not impeach the motives of the Senator from North Carolina. It is a most remarkable situation—exceedingly interesting. When we have shown, as we have, that we pay ten times more for carrying the mail than is paid for carrying express, and after three years' effort to get a reduction of this expenditure we are now told that our motives are not impeached. It seems to me that there is proof enough, if any Senator cares to investigate the fact, cares to look into the question, to make a reduction of 10 per cent. We have made no reduction since 1878. Then we made a reduction of 5 per cent, I think, or 10 per cent. The amendment then passed was similar to the one now offered. But for twenty-two years—

Mr. BUTLER. We made a reduction of 10 per cent in 1875 and another reduction of 5 per cent in 1878—in three years 15 per cent.

Mr. PETTIGREW. We have made no reduction since, although freight and passenger rates have been enormously decreased. Railroad freight rates have decreased more than one-half, and yet the rate still continues for carrying the mail, and the same old arguments are still made that we must hear from this commission. We are told that they do not intend to impeach our motive. Any Senator who wishes to be informed can get the information on this subject that will convince any man possessed of his reasoning faculties that there is no excuse why this exaction should continue and why the Government should continue to pay twenty or twenty-five million dollars a year more than it is worth to carry the mail.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from North Carolina [Mr. BUTLER], on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. WETMORE], who is absent. If he were present, I should vote "nay."

Mr. LINDSAY (when his name was called). I have a general pair with the senior Senator from Michigan [Mr. McMILLAN]. He not being present, I withhold my vote.

Mr. PRITCHARD (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr.

McLAURIN). Inasmuch as he would vote "nay," I take the liberty of voting. I vote "nay."

Mr. PROCTOR (when his name was called). I am paired with the senior Senator from Florida [Mr. MALLORY]. If he were present, I should vote "nay."

Mr. QUARLES (when his name was called). I have a general pair with the junior Senator from Texas [Mr. CULBERSON].

Mr. THURSTON (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. TILLMAN], but I understand that pair has been arranged otherwise, and I will therefore vote. I vote "nay."

Mr. VEST (when his name was called). I am paired with the Senator from Minnesota [Mr. NELSON]. I do not know whether or not he has voted.

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. VEST. I withhold my vote. I should vote "yea" if he were present.

The roll call was concluded.

Mr. ALLISON. I desire to state that the Senator from South Carolina [Mr. TILLMAN] is paired with the Senator from Rhode Island [Mr. ALDRICH].

Mr. SCOTT. I am paired with the junior Senator from Florida [Mr. TALLIAFERRO]. I understand he has not voted. I have a general pair with him, and therefore withhold my vote.

Mr. BATE (after having voted in the affirmative). I desire to know if the junior Senator from Kentucky [Mr. DEBOE] has voted.

The PRESIDENT pro tempore. The Chair is informed he has not.

Mr. BATE. I withdraw my vote, being paired with him.

Mr. HARRIS (after having voted in the affirmative). As the junior Senator from Wyoming [Mr. CLARK] has not voted, I believe, I withdraw my vote, being paired with him.

Mr. DANIEL. I am paired with the Senator from North Dakota [Mr. HANSBROUGH].

The result was announced—yeas 11, nays 41; as follows:

YEAS—11.

Berry,	Gallinger,	Pettigrew,	Turley,
Butler,	Heitfeld,	Rawlins,	Wellington.
Chandler,	Jones, Ark.	Teller,	

NAYS—41.

Allison,	Frye,	McCumber,	Sewell,
Baker,	Hale,	Martin,	Shoup,
Bard,	Hanna,	Mason,	Simon,
Burrows,	Hawley,	Money,	Spooner,
Caffery,	Hoar,	Penrose,	Stewart,
Carter,	Kean,	Perkins,	Sullivan,
Clay,	Kenney,	Pettus,	Thurston,
Cullom,	Kyle,	Platt, Conn.	Wolcott.
Depew,	Lodge,	Platt, N. Y.	
Elkins,	McBride,	Pritchard,	
Fairbanks,	McComas,	Ross,	

NOT VOTING—34.

Aldrich,	Daniel,	Lindsay,	Scott,
Allen,	Davis,	McEnery,	Talliaferro,
Bacon,	Deboe,	McLaurin,	Tillman,
Bate,	Foraker,	McMillan,	Turner,
Beveridge,	Foster,	Mallory,	Vest,
Chilton,	Gear,	Morgan,	Warren,
Clark,	Hansbrough,	Nelson,	Wetmore.
Cockrell,	Harris,	Proctor,	
Culbertson,	Jones, Nev.	Quarles,	

So Mr. BUTLER's amendment was rejected.

Mr. WOLCOTT. Inasmuch as we have now disposed of the question of the reduction of pay, the objection made by the Senator from South Dakota being removed, I hope we may now consider the last section of the bill, the amendment of the committee extending the time of the commission.

Mr. PETTIGREW. I should like to hear the amendment read. I want to see how definitely they promise to report.

The PRESIDENT pro tempore. The amendment will be read. The Secretary read as follows:

SEC. 4. That the commission to investigate the question whether or not excessive prices are paid to the railroad companies for the transportation of the mails and as compensation for postal-car service, and all sources of revenue and all expenditures of the postal service, and rates of postage upon all postal matter, authorized by section 5 of the act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1899, approved June 13, 1898, and by section 4 of the act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900, approved March 1, 1899, be, and it is hereby, continued with all the powers and duties given by said acts, and with directions to report to Congress on or before January 1, 1901, and that the unexpended balance of the sums appropriated is hereby reappropriated and made available for the expenses of said commission.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. STEWART. Mr. President—

Mr. WOLCOTT. There is one more committee amendment, I will say to the Senator from Nevada, which I suppose we should

finish. We passed over the amendment on page 17, beginning in line 10.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 17, after line 9, the Committee on Post-Offices and Post-Roads report to insert the following:

For transportation of mail by pneumatic tube, or other similar devices, by purchase or otherwise, \$725,000.

Mr. BUTLER. Mr. President, I ask the Secretary to read for the information of the Senate the paragraph on pneumatic-tube service in the act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1899.

Mr. WOLCOTT. I was unable to hear the Senator. I ask the Chair to kindly repeat the request made by the Senator from North Carolina.

The PRESIDENT pro tempore. The request is that the Secretary shall read a paragraph from the appropriation act for last year.

Mr. BUTLER. The paragraph about pneumatic-tube service. The Secretary read as follows:

For transportation of mail by pneumatic tube or other similar devices, by purchase or otherwise, \$225,000: *Provided*, That no part of this appropriation shall be used in extending such pneumatic service beyond the service for which contracts already are entered into, and no additional contracts shall be made unless hereafter authorized by law.

Mr. BUTLER. Mr. President, there is an enactment that there shall be no further contracts, that there shall be no extension of this service beyond what is provided in that act, without authority of law. Now to do that would require legislation. If this amendment proposes to legislate, then it is out of order. This item carries \$725,000. Every member of the committee knows, and every Senator knows, that it is legislation for the purpose of extending the pneumatic service to Chicago, New Orleans, and other cities where there is not any service at all. Therefore there is legislation covered under it, and that is the purpose of it.

Those who came to us asking that this large amount be put in have had their surveys made in those cities. It is just the same as if the item legislated that the service should be extended to Chicago, New Orleans, St. Louis, and every other point that that much money would cover. So I make the point of order against it that it is new legislation and is a repeal of existing law.

Mr. CHANDLER. Mr. President, it does not seem to me that the point of order is well taken. In the first place, \$225,000 of this appropriation is required to fulfill existing contracts. That, I think, was the appropriation last year; and a motion to provide \$225,000 would be in order for the purpose of going on with the same contracts which were appropriated for when the clause in the law was adopted to which the attention of the Chair has been called.

Now, this amendment is not offered by an individual member. It is a committee amendment. It is an amendment of the same class as came to the Senate in times past from the Committee on Appropriations. The Post-Office Committee now has the Post-Office appropriation bill, and that committee reports this amendment. It is an amendment simply to provide \$725,000 for the postal service in this particular direction. As I heard the clause which the Senator from North Carolina read, it makes certain provision as to what shall not be done until further authority of Congress. This amendment corresponds exactly to that clause certainly; it is the authority of Congress.

Mr. BUTLER. I will say to the Senator that that makes my point of order good, because it is legislation. That is exactly the point of order that I make.

Mr. CHANDLER. Because there was a limitation upon that appropriation last year there is no reason why Congress shall not appropriate money for pneumatic tubes this year. The Senator has not shown anything that brings this appropriation within the rule forbidding an appropriation of this kind to be made. It is not subject to the rule against inserting new items in an appropriation bill, because it is inserted by the committee. I am really surprised it should be supposed that under the Senate rule there could be any objection to an appropriation of this kind reported by the appropriate committee.

Mr. HOAR. Mr. President, I desire to make a suggestion to the Chair. Suppose there were an appropriation to substitute horses for mules in parts of the country where they drive mail carts by mules, or to give carriers bicycles, it would be another mode of carrying out the law, which is the transportation of the mails.

The PRESIDENT pro tempore. The Chair overrules the point of order.

Mr. WOLCOTT. Mr. President, the questions of the construction of pneumatic-tube service in the cities of the United States and its extension beyond the three cities where it now exists have been the subject of very extended discussion in another House, and the questions are certain to lead to some extended discussion here.

Pneumatic service has existed in some of the cities of Europe for many years, and is in use there to a limited extent for the

transportation of letters and other matter known as first-class mail matter. This service, however, is rendered in no city in Europe except for an additional postage, varying from 4 to 6 cents. It is not an ordinary appendage of the mails, but by paying the additional price the facilitated service can be had.

Pneumatic-tube service is conducted, of course, by pipes laid underground; and there are patents for almost everything connected with it except the hole in the ground. These different patents are consolidated in one or two companies, and constitute almost a practical monopoly in the United States.

There is now pneumatic-tube service to a limited extent in Boston, in New York, in Brooklyn, which should be included now as part of New York, and in Philadelphia. This pneumatic-tube service is, as I said, of a most limited character. In the city of New York its mileage is 4.20 miles. From the general post-office in New York to Brooklyn the distance is 1.65 miles. The pneumatic service in Boston is seventy-four one-hundredths of a mile, and in Philadelphia 1.46 miles. The total mileage of pneumatic service in the United States to-day in operation is 8.05 miles, for which the Government pays an annual rental of \$222,300, in addition to certain sums for the operation of certain of the lines and certain other amounts paid for fuel.

The rate paid varies. In the city of New York we pay practically \$37,500 a mile for the use of the pneumatic-tube service. From the general post-office to Brooklyn we pay at the rate of \$12,400 a mile. In Boston we pay about \$12,000 a mile and in Philadelphia about \$24,000 a mile, the sums varying widely and most disproportionately.

The tubular service in Boston extends from the general post-office to one of the union railway stations of the city. In New York it extends from the Produce Exchange to the post-office and from the post-office to a postal station nearly opposite the Grand Central station, at Forty-second street, in New York. The Philadelphia tube service extends from the main office in Philadelphia to the station there occupied by the Pennsylvania Railroad.

In each instance this service is a monopoly. It is a monopoly first as to the patent, and next it is a monopoly as to the occupancy of the streets. No permit can be had. It must be obtained by ordinance of the city; otherwise permission can not be had to lay the pipes, and as the president and representative of the Boston company said to us in a hearing we had, "Of course," said he, "any company having the right of the streets will contest any ordinance giving any other company the right to occupy the streets."

But, be that as it may, Mr. President, there has grown up in these four cities of the United States a contractual relation between the four companies, all of them using the same patents. The stock of each is largely owned by one company, although some of it is scattered among other holders, all having an existing monopoly, exacting from the Government of the United States disproportionate rates for its use, and each one of them dependent in the price paid by the Government, not upon the cost of the line, not on the cost of its operation, but, as the Second Assistant Postmaster-General told us, based solely upon the prices which the companies operating the line were willing to accept from the Government of the United States.

The service rendered by these lines is in some respects valuable, but it is largely overestimated and overstated, even as to existing service. I should say that except in Boston and to a small extent in the city of Philadelphia there is absolutely no saving in the wagon service for carrying the mail. In fact, since the New York contract has existed the cost of the wagon service between the post-office and the Grand Central Station has increased and not lessened.

One would think there would be a great saving. There is not much. The time allowed for the transportation of the mail from the post-office in New York to the Grand Central Station is forty minutes in all instances, except for a few mails, where the time limit is thirty-five minutes, and the evidence shows that in almost every instance the mail is carried within the time limited by law.

The mail being delivered by the pneumatic service does not go to the railway station, but, as I have stated, it goes to a post-office station near the Grand Central Station, and the testimony of witnesses is that the saving in the delivery of mails between the post-office in New York, opposite the Astor House, and the Central Station is about twelve minutes. That constitutes the saving for which we pay \$155,000 a year.

The evidence taken by the commission and the evidence taken by the different committees has seemed to show up to this time that pneumatic service, speaking generally, is not adapted for any but first-class mail matter.

Mr. HOAR. Is that sum the increased cost or the whole cost?

Mr. WOLCOTT. The cost for the pneumatic service. Nothing is saved. There is more wagon service than before. There is no saving on wagon service, but for the pneumatic service there is an increased cost of \$155,000.

It is true that certain packages of mail matter are carried in these pneumatic tubes, but as they are at present constructed, and

as they are operated in Europe up to this time, it does not seem as yet practicable to use them for other than for first-class matter—letters—for which, as I have stated, the Government receives no extra compensation.

Mr. President, when this question came up for consideration in another chamber the body which first dealt with it saw fit to wipe out of existence altogether the question of pneumatic service, and it went out of the bill under this situation. There had been appropriated for the last three years \$225,000 to cover the cost of pneumatic service in these cities. There was an amendment added by the committee in another chamber increasing it \$500,000 for further use of the pneumatic service. When it came up for consideration in the House and the whole scheme and proposal was analyzed and considered in connection with the testimony that had been taken by the committee, the House of Representatives saw fit to strike out not only the \$500,000 for new and increased pneumatic service but the \$225,000 for the annual appropriation for the four pneumatic tubes which are going concerns.

When this bill reached the Senate and went to its Committee on Post-Offices and Post-Roads it inserted the same amendment that was stricken out of the House bill. There was a suggestion that we leave in the \$225,000 for existing service, but that the \$500,000 be left out of the bill. There are many people who may be opposed to the extension of the pneumatic service with the present information which the country has upon that service who would be willing, notwithstanding the extortionate charge, or what seems to be the extortionate charge, in many cities, that the appropriation should continue to be made for the \$225,000. But we were met by the contention of the advocates of the pneumatic-tube service—and I assure you, Mr. President, they swarm the Senate corridors like bees in hiving time—that they did not want any \$225,000 for existing pneumatic service. They wanted the \$500,000 plus the \$225,000, or else they did not want anything at all. In other words, those members of this Chamber who want to continue the existing service and pay for it must take it saddled with \$500,000 new money for new service in other cities or they can not get it at all.

Mr. President, in another Chamber there was a somewhat excited debate over this matter, an occurrence which never happens here. I desire to say that in my opinion the member of the House who stood gallantly up and led the attack upon the whole appropriation kept himself well within the truth, and refrained from saying much that he might have said as to the character of the attempts to secure this legislation which have been made in these bodies for the past few years. When the House committee was considering this question, one of the counsel of these companies appeared before that body. There had been objections made to the extension of this service on account of its expense. He said to them, "We will say to you that we will put the pneumatic service in 27 cities of the United States for an annual rental of \$2,150,000," refuting a statement which I had made over a year ago in this body, that if we started the pneumatic-tube service we would have to appropriate \$25,000,000 or \$30,000,000 a year.

From that time to this I have been trying to find out, and so have other members of the Railway Mail Commission and members of the Post-Office Committee, how much it cost to put in this pneumatic-tube service, and we have been utterly unable to ascertain until Mr. Milholland the other day, before the Post-Office Committee, told us that the cost varied somewhere from \$150,000 to \$225,000, or about in that neighborhood.

Mr. CHANDLER. Per mile?

Mr. WOLCOTT. Per mile. That is the only information he could give. But this proposition for 27 cities was most ingeniously drawn. It covered a city in almost every State which is represented here. It takes the 27 leading cities, the residents of which and the boards of trade of which would naturally want pneumatic service, and it says, "We will include you in one of the cities, and we will put it all in for \$2,150,000."

Then we asked them all how much it would cost a mile and how many miles they would lay in the 27 cities. Mr. President, you can see why they did not like to answer that question. That same company is the owner of much of the stock in the existing companies now, which get \$225,000 a year for 8 miles of pneumatic-tube service. They offered to put it in complete everywhere that the Post-Office Department wanted it for \$2,150,000 a year. If they had told us how many miles they were going to lay, it would have been evident in a minute that we were overpaying ten or twelve times the amount we ought to pay in the cities where the pneumatic tubes are already constructed. So they would not tell us how many miles it would take for 27 cities. He said he could tell us that it would take 80 miles in the city of Chicago, and as soon as you take 80 miles in the city of Chicago—and I have his statement here of record—of course you find yourself multiplying proportionately the size and area of cities. In a subsequent statement their counsel stated to us that it would be, they thought, about 300 miles altogether; but they still say that it is 80 miles in the city of Chicago.

In this connection I may say that the postmaster of the city of Chicago was violently opposed to any pneumatic-tube service until recently, when he is just as violently in favor of it; and that has been true of several other postmasters in the country, and this pneumatic interest has been able to secure the presence here on several different occasions of leading postmasters of the country. The boards of trade of every city want it. Everybody wants quickened service and everybody wants accelerated speed in the delivery of letters. Every city, seeing that one city has it, wants it. The result of the action in the House has led to the most adverse criticism of Congress in certain of the newspapers of New York City. My attention was called the other day to one of the leading and conservative journals of that city, which assailed that member of the House who led the fight against the pneumatic-tube appropriation, saying that it showed how unfit members of Congress were to deal with questions which affect great cities.

Mr. President, if the editor of that paper had stopped to consider a moment, he would have felt bound to say, It is true that we want all the improved service and accelerated speed in the delivery of our letters that is possible, but we do not want it at the expense of jobbery and corruption. There is a price that is too much to pay for anything. We want the service, but we do not want to be held up in order to secure it. We want it, provided that it may be obtained upon a fair and decent basis.

I then went to the Second Assistant Postmaster-General, and I said to him: "How do you know upon what basis to make your contracts for pneumatic-tube service as you have it in four cities? Have you had your engineers make an estimate of the cost, so as to render to these people an adequate return?" He said: "No; we have not gone into that." I said: "Then how do you reach it?" "Well," said he, "we negotiate with them, and when we get them down to the lowest price, then we accept that."

Here is a monopoly. They can not do any other business; they do not do anything else but carry letters for the Government of the United States. Nobody else can get into a street. They engineer exclusive franchises through city councils and get the right of way for the pneumatic-tube service. They then proceed to make their excavations and to build their plant, and then say to the Postmaster-General, "We will carry your mail in the pneumatic-tube service if you will give us so much."

The Boston office showed a very fair return for the money. It was an admirable service, and that was the only pneumatic-tube service that offered as a condition for the conferring of the pneumatic-tube service upon them to undertake to do also the wagon service. That was very gratifying. There the pneumatic-tube service not only reduced but stopped the expense for horses. The president of that company appeared before our postal commission a few days ago, and said it was utterly impossible for them to go on with that work; that they must have twice as much money this year as they had last year. Then he said it was very important that we build a line from the post-office to the other union station in the city of Boston. He said it was 3,300 feet to the station, and for that 3,300 feet they would have to charge the Government \$45,000. There you are, Mr. President; less than a mile, two-thirds of a mile, for which we are to pay \$45,000. I say the circumstances are very extraordinary when the public service can stand that, unless we should make some rule and some law, as has been done in every country in Europe, for charging additional postage for the delivery of letters through the pneumatic-tube service.

That brings us to the consideration of the whole question upon this amendment. There is not a foot of pneumatic-tube service built in the United States to-day that is not occupied for the carriage of the mails that we have not contracted for, and now we are blindly giving the Postmaster-General of the United States \$500,000, and saying to him, "Go out and get some pneumatic-tube service;" and he is to exercise his discretion as to what shall be the price. I understand from the friends of the pneumatic-tube service in the city of Chicago that they have got some kind of a lien on the Postmaster-General, and they say they are going to get part of the \$500,000, and other cities are going to get part of it. How is the Postmaster-General going to make the contract? Is he going to every city in the country of a certain size and say, "How much pneumatic tube will you build for \$500,000?" We should act intelligently about it. If we do not, we are simply throwing this money away. The statement I made a year ago is true, that if we are to appropriate money blindly in this way for a pneumatic-tube service, we will come in a very short time to an annual appropriation of \$30,000,000 at least.

Mr. DANIEL. Are the cities in which this service is to be used designated in the existing statute?

Mr. WOLCOTT. No; none of them. He may go all over the United States and select cities of any size, spend the \$500,000, and give the service to the city that has got the most pull.

Mr. President, as I said, I am not in favor of an appropriation by the Government for work or for services that can be rendered or for franchises that can be utilized by individuals. I believe in

the utmost freedom of individual effort. But if there ever was a service that the Government should absolutely control, it is the pneumatic-tube service in this country. Just think of it, Mr. President. It requires an ordinance to start the thing. The very nature of it requires that it must be almost a monopoly. It would be improvident in a city to give to contesting companies for a franchise for pneumatic-tube service leading from a post-office to a station equal rights. It would lead to a combination of the two or the ruin of one. If there is a single service in this country that should be a Government service, it is this; and we ought to investigate and consider it pretty carefully.

There are two or three ways of dealing with it. We could say, first, we will build it ourselves and as a Government procure the necessary ordinances. Or we could do better than that; we could go to cities of above 150,000 or above 250,000 people and say, "If you will procure for the Government of the United States a franchise through your streets, alleys, and highways for the construction of a pneumatic-tube service, we will build it." Or we could do better yet, Mr. President; we could say to these cities who are clamoring for this service, "Yes, you want it, do you? Then you build it. Your city, your commerce, your merchants, and your institutions are to benefit by this pneumatic-tube service; you build it as a municipal business, and you tender it to the Government of the United States, and we will pay you an interest on it that will yield you 3 per cent or 4 per cent upon its cost."

There you have got a double stimulus; a stimulus to every city that is clamoring for the construction of a pneumatic-tube service; and you have got the other stimulus, that every city will find out that these monopolies which hold these patents do not exact too great a tribute for their use. You then have every inducement for economy of construction and economy of use. Outside of that, Mr. President, if we go into it in this blind way, we are running this Government into an expenditure that will be fabulous and that would be ruinous to any but so prosperous a country as ours.

I say that in my opinion there has never been presented in the few years I have been in the Senate a scheme which seemed to open the door to such flagrant abuses as does this. Nobody is demanding this; nobody is crying for it. True, the boards of trade declare for it. They will declare for anything that will hasten the transmission of the mails; but intelligent merchants do not want it at the undue expense of the taxpayer of the country, or at an expense that is beyond its value and beyond that which is just and right.

I say, Mr. President, that we ought to pass over this question now. We can, if we will, leave the \$225,000; but all the pneumatic-tube advocates, who, as I say, have been swarming around here all through this winter session, do insist that it shall be all or nothing. They say they want the \$725,000 or not a cent; and they are large stockholders in the present existing service. If they can stand doing without it, I think the people can stand doing without it, for it saves but twelve minutes on a very imperfect service between the Grand Central station and the general post-office in New York City. I would be willing to appropriate \$225,000; but I am not willing to be held up on a blind appropriation in a blind pool for \$500,000.

Mr. MASON. Mr. President, the distinguished Senator from Colorado [Mr. WOLCOTT] who has just taken his seat is usually noted for his fair statement of facts, but he sometimes runs wild, as he did this afternoon, and goes into the realm of fancy for his facts and draws on his imagination. The Senator has forgotten the facts, and has drawn upon a speech made two years ago, and so, of course, I shall make due allowance.

He said if we kept on with this appropriation we would need \$30,000,000 annually for this service. I will read from his speech made two years ago, and it is exactly the same as that made now. He was excusable for making it two years ago, because he did not know, as a matter of fact, that this company would make a proposition to equip not only a part of the cities of the country but 27 of the leading cities at an annual rental of just 10 per cent of what he states would be necessary. But as he came within 90 per cent of the facts in that particular, and that averages about the general limit of the facts in the rest of his statement, I do not care to dwell particularly upon that branch of the case.

The stagecoach drivers held a meeting and resolved that it was dangerous to carry passengers by steam, and the stagecoach for some time stood in the way of the limited mail train. Whenever you attempt to do anything for the Government that means expedition, that means advancement in civilization, there the mail coach, and, in this particular case, the mail wagon, or the contractors having mail wagons, stand in the way. Of course they do not want to give up the business of carrying the mails.

The Senator says that in New York it costs as much to carry the mail in wagons as before, for the simple reason that there has been no harmony of action between the pneumatic-tube service in New York and the wagon service. But take the case in Philadelphia. There the same concern that carries the mail in wagons

also carries the mail in the pneumatic tubes, and the proposition is now to use 2 automobiles where they used 13 wagons heretofore.

The Senator says that no one wants the pneumatic-tube service. Let us see about that. Chicago wants it, and she is entitled to it. The service is not perfect in New York for the very reason that you have held up the necessary appropriations to develop the service there. The service is not perfect in Philadelphia, nor is it perfect in Boston, and there is no doubt that in New York a larger sum is paid, or was paid at the beginning, than will be necessary in the future. That is always the case at the beginning of any new enterprise. To-day a locomotive or a freight car is built for 45 or 50 per cent of what it cost twenty-five or thirty years ago. We are constantly cheapening this process. The pneumatic-tube service has had the same history that we have had in the manufacture of the car or the locomotive or any other piece of machinery.

The laying of a pneumatic tube, you understand, Mr. President, requires skillful work. You can not lay it down as you would a gas pipe or a water main. Its joints have to be absolutely perfect, not only water-tight but air-tight. They have to be bored out with the smoothness and fineness of a gun barrel.

When tubes were laid in the city of New York the work was all done by hand. To-day the same company, the Batchelor Company, have invented a plan whereby they bore out these great iron tubes by machinery, and they can furnish pneumatic tubes to-day in the city of Chicago and serve to the people of Chicago 3 miles of pneumatic tubes at a cost far less than that paid in the city of New York. It was then a new enterprise. It is like all other enterprises. It is an expensive thing at the start, but the more you manufacture of anything the cheaper it becomes.

It is all talk and nonsense to say that the Post-Office Department of the United States, the Postmaster-General, and the Assistant Postmaster-General are going to make any contract with the Pneumatic Tube Company that does not furnish to the people a service beyond in dollars and cents the value they pay in dollars and cents for the service.

But in order that the Senator, who seems somewhat anxious about the city of Chicago, may understand that I am representing their wishes in that particular, and not he, I call attention to a petition from the Illinois Manufacturers' Association, praying that the Post-Office Department establish a pneumatic-tube system for distributing the mails in Chicago. This is a resolution passed by one of the largest and most influential nonpartisan associations in the whole State of Illinois.

Ah, but the Senator says, we can get this service cheaper if we can beat these people out of their patents, if we will go to work and take their patents and use them without paying for them, and steal the brains of the Yankee who made the invention; which he did not wholly approve of when the proposition was here about the manufacture of armor plate. But the Senator says we can get it cheaper. I will tell you how you can get it cheaper. Let these people lay the tubes, and after they lay them, what use will they be if the Government does not use them? Then, if they do not make a satisfactory arrangement, you can say to them: "Gentlemen, you may use your pipes for gas or for water or something else; the Government does not want them." The Government is not putting one dollar into this business. But I have digressed for a moment.

Here is a resolution of the Board of Trade of Chicago, sent to me and referred to the Committee on Post-Offices and Post-Roads; but the distinguished Senator from Colorado is chairman of that committee, and therefore is not presumed to have seen the resolutions or petitions which have been sent there. [Laughter.]

Here is a resolution of the Real Estate Board of the City of Chicago, recommending an appropriation for the extension of the pneumatic-tube system to some of the Western cities. That also has the file mark that it was sent by my colleague [Mr. CULLOM] to the Committee on Post-Offices and Post-Roads. Here is another one from the Chicago Real Estate Board.

Ah, but the Senator says, these are only institutions; intelligent merchants do not want the pneumatic-tube service. I should like to have the Senator see the class of men who signed these petitions in the city of Chicago. The people of Chicago know what they want, and the Senator from Colorado has not guessed within about 90 per cent of it in the speech he made two years ago or in the speech he made to-day.

Here is a petition which is addressed to the distinguished chairman of the Post-Office Committee in the House of Representatives. One was sent to him, and I understand one was sent here. I think some of them were addressed to the Senate.

Let me call the attention of the Senator to the business men of Chicago who do want the pneumatic-tube service and who have enough gray matter in the upper end of their anatomies to know that they ought to have just as good a service in Chicago as there is in New York or in Philadelphia; and I am going to show you about the Philadelphia service before I get through.

The Corn Exchange National Bank ask that there may be given

to Chicago—the greatest distributing point in the United States—the same facilities for the rapid transmission of the mails that at present are enjoyed by New York, Philadelphia, Boston, and Brooklyn.

This is signed by the president of the Corn Exchange National Bank. Then here is one from the Chicago National Bank, from the Union National Bank, the First National Bank, the American National Bank. I shall not read them all, but shall simply say that every banking house in Chicago has sent a petition to this Congress asking that you give to us the same thing you are giving to Boston, to New York, to Brooklyn, and to Philadelphia. So much for the banks. Going on through this list, you will find the names of the McCormick Harvester Machine Company, the Illinois Steel Company, the American Tin Plate Company, and a number of piano manufacturers. This matter has been presented to the people of Chicago, and every wholesale merchant has joined in the request. Does the Senator from Colorado still insist that no intelligent merchant wants it?

Mr. WOLCOTT. Mr. President, as the Senator has asked that question I should like to say—I am sure the Senator does not desire to misquote me—that I said everybody wants the pneumatic-tube service, but I said no intelligent merchant would want it at the expense of the taxpayer if he were taxed unduly for it, or if he were held up at an exorbitant price for it.

Mr. MASON. Neither do I.

Mr. WOLCOTT. Then we agree.

Mr. MASON. I propose to show before I sit down that there is no extravagance in it. This very company has offered to furnish the service to the leading cities and to turn their factory over to the Government, so that it will know the exact cost. There is no value in this factory if the Government does not use the pneumatic-tube system. They have offered to turn it over to the Government and let the Government use it and use their patent at actual cost or at a cost of 10 per cent for the use of their patents.

Mr. President, this one company, the Batchelor Company, has about 50 patents. The pneumatic-tube system has been improved. The Senator says it has been used. Yes; it had its beginning in 1853 in London. They found there was a way to dispatch mail without sending it through the crowded streets. As Mr. Stead said, it was like harnessing the whirlwind; but it was abandoned because the English did not have genius enough to understand the appliances and how to use them. It took a Yankee to finish that invention; so that to-day you may take one of these great carriers, like a jointed stovepipe, holding hundreds of letters and passing them as fast as they go into the pipe from the post-office to the railway station. It has avoided the congestion which usually follows the mail where it has to be held and carried in bags.

I understand there were two companies holding patents, and I believe there are some private individuals holding patents. There is one man in Chicago who has a very just claim against the Government for the use of his patent.

When you put pneumatic tubes into a tunnel, as you do in New York, and establish a system, I have reason to believe that the Postmaster-General will get all he can for the money he spends; and I say it is not fair to impugn by indirection or even to suggest by indirection that the Postmaster-General of the United States is going to enter into contracts to pay more than the service is actually worth.

Suppose we want to abandon the pneumatic-tube service in Philadelphia to-day; suppose the Postmaster-General should say to the owners of that company, "You carry this mail now to the stations, and we will pay you so much; we will furnish the help to do it, and we will pay you 5 per cent on your invested capital, regardless of the amount of stock you have issued or the amount of water in the stock." These people would be obliged to accept the offer of the Government, and the proposition made by the Senator from Colorado is not fair; it is not true. The Postmaster-General is no more at the mercy of the owners of the pneumatic tubes than the owners of the tubes are at the mercy of the Postmaster-General.

This very day the Senator himself offered an amendment by direction of the Committee on Post-Offices and Post-Roads. We are using patented machines for canceling the stamps on letters; and upon his suggestion he offered an amendment that we will not rent those machines any more unless the owners will take a rental of 15 per cent of the actual cost of the machines, which may be worth \$100. For the use of those canceling machines he allows 15 per cent—5 per cent on the invested capital and 10 per cent, possibly, for the use of the patents; and yet to-day he is here fighting the pneumatic-tube service. The pneumatic tube is one of the great inventions of the age; and the name of Mr. Batchelor will go down in history with that of McCormick and Pullman and the other men who have made life easier and better and have made for civilization and advancement.

The Senator can not name one man connected with the Post-Office Department who does not approve and uphold this service except the man who has a mail-wagon contract; and amongst the

bees who have been swarming around the corridors here there is an occasional mail-wagon bee buzzing in our ears. But it is the old stagecoach again standing in the way of progress.

Let me call your attention to the evidence of the Philadelphia postmaster for a minute. I have had a rough drawing made, and I have asked one of these bees who swarm around here to keep busy drawing this plan, so that I could explain as to the \$20,000,000 expenditure to which the Senator has referred.

Here is a map [exhibiting]. This is, in rough, the plan of the Philadelphia office. You can mail here [indicating] at the Bourse, the end of their system. They have their carriers, and most of you have seen them, I hope. The tube looks like the joint of a stovepipe. You put the carrier in at the Bourse and like a flash it is off the moment the letters are mailed. If so intended, they are switched off and stopped here [indicating]; otherwise they go clear down to the Pennsylvania station, which is marked here [indicating].

There are hundreds of thousands of letters passing through this system every day. Ninety-odd per cent of the total first-class mail is carried in that tube—94 per cent, the postmaster states, if I am correct, and I will ask you to call my attention to it if I am wrong—94 per cent, or ninety-odd per cent, of the first-class mail is carried through the pneumatic tube, and yet it is not perfect. The beauty of it consists in the fact that when letters are dropped here [indicating] they go directly on their way, and there is no congestion and no delay.

I will read from the evidence of the Philadelphia postmaster. He claims that we have saved half of the cost of the rental of this service in the carrying of equipments.

When the letters reach the station, they are not shot into the car for distribution, but the postmaster at Philadelphia very wisely has put a force of eighteen men there. They are there night and day. The tubes never stop except for two hours in the day. I am stating this now just from memory, and if I am mistaken I shall be glad to be corrected.

The moment a letter is mailed here [indicating], within one or two or three or six or seven minutes it is there in the station. The postal clerks are there to receive it; and instead of loading down a car with many bags and equipments, it is put in a bag and goes to its destination. It may be in some instances deposited in the tube several miles away; and in some cases in ten minutes before the train starts your letter is on its way, and catches the train, whereas if it waited until the next train you might lose twenty-four hours.

Suppose I mail a letter in New York the minute before the train is to go over the New York Central to Chicago. I mail it at 8 or 9 o'clock in the morning. It is delivered the next morning in Chicago. If it does not catch that train, the next one is at night; it reaches Chicago the next night and is not delivered until the following morning. There is a loss of twenty-four hours in the very busiest part of the day, when the postmaster wants his office relieved and when the business man wants to feel that his letter has gone to its destination.

This is an ideal plant. It did not cost so much as the New York plant. The New York plant was laid under great difficulty. These pipes have to be very finely constructed. They have to be bored out; they have to fit into each other; they have to stand the pressure of heat and cold, and they have to be tamped on all sides to prevent cracking. I believe the Postmaster-General or the Assistant Postmaster-General says there has been but one accident in letters sent through the pneumatic tubes, and that was where some one carelessly put the carrier in without closing it.

In order to tone down somewhat the dream of the Senator from Colorado, I wish to read the sworn evidence of the postmaster at Philadelphia. He wants it. The New York postmaster wants it. The Postmaster-General wants it. There is not anyone connected with the Post-Office but who wants it, nor is there one who has ever testified against its use. Of course it is not perfect. It is in the state of growth. We must do the best we can. But you let the people who can afford to lay the pipes lay them, rent them to the Government, and then after they are laid say we will take them, just like it is proposed to the railway companies. What could the railroad companies do if you decided to make a horizontal reduction of 20 per cent? They would have to take it. These people would have to take it or go out of business. Their capital would be destroyed.

Is it a good business proposition that the Senator makes when he says we are putting ourselves in the hands of a monopoly, when we never have made contracts for exceeding four years? The contracts in New York and Philadelphia expire next year. They are at our mercy. It is a presumption that the Government will be fair. I confess it is a violent one.

This is the evidence taken before the Committee on Post-Offices and Post-Roads:

Mr. HICKS. We have reduced the number of wagons in use between the central post-office and Broad street station from 11 to 6.

There is a reduction of nearly half the wagons in Philadelphia,

and the statement is made that they expect to do the service by 2 automobiles where they used 14 wagons before. The postmaster says:

I will consider this matter very briefly, and I will consider it absolutely and only from the standpoint of postal interests. The question of cost rests with Congress; and if I were a member of Congress, would not pay two prices where one should suffice.

The Senator will hardly claim that when this company is offering to build and allow the Government to examine and superintend the building and then rent their whole plant at 10 per cent it is an extortionate monopoly. By his own amendment he gives 15 per cent to the owners of the patents on the canceling machine. I think he is right about it. I do not think 10 per cent profit is any too much where you take the use of a man's brains. He ought to have something for his capital. I approve of the amendment. I think I voted with the Senator in committee and here. That is exactly the situation.

But suppose we said to the men who make these machines, "Do not make any machines until we think it over for another century. We can do better somewhere else." But the moment the machine was offered we said it was a time saver, it was a labor saver, and we rented them, sometimes paying 80 per cent of their whole value annually. We proposed to reduce it. We want these people, who are willing to dig the holes and put pneumatic tubes down, to have the privilege of building them, and I will trust the Postmaster-General to see that there is no job, no corruption, because it is in his hands; and when the contract is made and it expires, it is again and always in the hands of Congress.

But the trouble is, having got it started and only fairly started in the East, they purpose now to stop it for the city of Chicago; and there is not a gentleman sitting in this Chamber, particularly those from the West and the Northwest, our sister States, who is not interested in having quick service in the city of Chicago in the postal system. It is the greatest mail distributing center, and if I had time I should like to call your attention to it. We will get not to exceed \$50,000 for the next four years' rental for what we can put in in Chicago, and you are earning a profit of over \$3,000,000 a year for the Government from the post-office alone.

We pay to the Government from earnings at the Chicago office more than \$3,000,000 a year, and we are simply asking that you shall not, in a spurt of extraordinary and dramatic virtue, stop this improvement until you can dicker for the patent, but that you give to Chicago what you have given to Boston and other cities. We want fair play, Mr. President. I will read further what Mr. Hicks said. I want Senators to have this map in mind:

In the city of Philadelphia the tube runs from the Bourse station to the main office, a distance of a little over half a mile, and from the central office to the Broad street station. That is directly on the line of Market street—Arch street on the north, Chestnut street on the south—the three most crowded thoroughfares in Philadelphia, right in the heart of the business section.

Let me call attention, if you have not thought of it, to the absolute necessity of relieving the crowded streets of the great cities. You have gone to New York, and all have to stand by when the mail wagon comes along. In the case of a parade everything has to stop. No parade, however large, however long, or however patriotic can interfere with the tube service.

When we had the blizzard and the newspapers could not be put out into the hands of their customers and readers, the pneumatic-tube service was used. Nothing stops its service. It is safe. If there are some capitalists in this country who are willing to build tubes, let them build them and we will arrange about the price hereafter, and when the Postmaster-General gets into a debate with them about the price for the use of them he will say: "We will either use your tubes or not, just as you like." A government of 70,000,000 people is not going to be at the mercy of anybody owning a pneumatic-tube service.

The Postmaster-General has been a friend of the service. He has had occasion to see its merits, and he favorably recommends it. There is no employee of the Post-Office Department at any time since it has ever been discussed who has not favored the extension, and no one connected with the service who ever saw it worked fails to favor it. I wonder how many of the Senators have seen the simplicity and wonder of this great system. Under the present plan of switching they can drop the carrier in with a load of letters, and by its very arrangement it becomes self-switching, and stops at the station where it is destined to stop. Economical means have been discovered for manufacturing and laying the pipes. They can manufacture and lay the system cheaper than the Government can. Undoubtedly it can be used for commercial purposes. That branch of the case I will take up later, if it becomes necessary.

I will read further from the statement of Mr. Hicks:

For instance, Broad street is the center of the city, the main avenue for every procession or parade. Parades never stop us; fires never stop us; heavy snowstorms never stop us; the tube service goes right on; we meet with no accidents.

The CHAIRMAN. Do you carry through that tube all classes of matter—first, second, third, and fourth?

Mr. HICKS. No, sir; we carry a portion of the other classes, but about 95 per cent of the first-class matter is being carried both ways between Broad Street station and the main office.

Think of the perfection of the system! Between the post-office and Broad Street station, on the map as I have shown you, it takes in all the way stations as to first-class mail matter, and they are using wagons only for other classes of mail, and 5 per cent of the first-class mail, and that comes in the two hours at night, when the tube is closed for two hours for repairs, if repairs are necessary.

The first contract for pneumatic-tube service in Philadelphia was for the Bourse line. It runs until the 30th of June, 1901.

Just one year from the 1st of next month that contract expires. Is it possible that the Senator's suggestion can be correct, that the owners of that pneumatic-tube line can hold the Government when they have no contract? Will not the Government be able to say "You can not use it for anything else except for these little small packages, and if you want to live you have to take the Government price?" Does not the Government to-day fix the price of every pound of mail carried on the railroads, and will not the Government fix the price of every pound of mail carried in the pneumatic tubes?

It can not be possible that the Senate distrusts the Post-Office Department of this country. The Neely affair has not shocked its confidence in this Government to run its business and the Post-Office Department. At the end of one year and fifteen days that great tube, costing hundreds of thousands of dollars, will lie under the streets of Philadelphia, and the Government can say how much we will pay for the use of it or go without it.

I believe it would be a good thing for the Government to own the pneumatic-tube system and advance it that way; but I do believe that the Government ought never to use a man's patent without an arrangement. If we have made any progress in this country at all, it has been, in my opinion, due to two great things which have helped us—the doctrine of protection and the doctrine of patents. These things have been invented. Some have invented them; some have put capital into them; others have brought capital and inventor together. I want to show you what the Postmaster says about the cost of equipment.

In that great station in Philadelphia when the trains start there is no surplus, except the mail that may come within the last few minutes. The letters and the mail that come through the pneumatic tubes are all sacked, marked, and put in a bag and sent to their destination, unless it is those that come within the last two or three minutes, which are put on the cars without sorting. When they had to carry it from the post-office in sacks one sack would be half full, another two-thirds full. The statement has been made that half the cost of renting has been saved by the Government in equipment alone, that would have to be carried by the railroad companies and paid for out of the Government appropriation.

As I understand it, the reason for the great success in Philadelphia is that the wagons and the tubes work in harmony. I think they do so in Boston. But in New York the wagon contract has not expired and there is a conflict of interests. The pneumatic tube sometimes sends in its carrier as low as one letter, and the mail wagon sometimes runs almost as empty as that. It has not been the fault of the Government. It has been simply that the Government has been seeking to avail itself of the rapid transmission of mails before the wagon contract has expired. That contract expires in one year. Then the Senator from Colorado, if the people of his State exercise that wisdom which I hope they will, and I have no doubt he hopes so, too, and which they ought to exercise, will still be chairman of the committee and have a chance to pass upon the question when the contract comes in for approval and the appropriation comes up.

The volume of mail originating in Philadelphia is about equal to 77,000 pounds a day. Of the total, 453,000 pieces of first-class mail go to Broad street station by the tube and 55,000 pieces go to the Reading terminal. That is about 508,000 pieces a day. One hundred and ninety-two thousand pieces go by wagon to all points, and of these pieces some of them are the mails dispatched during the two hours when the tube is not in service, from about 12 midnight to 2 in the morning. There are two hours during which the tube is idle on account of repairs which may be necessary or whatever else may have to be done. So that we are practically to-day handling all of the letter mail between the main office and Broad street station.

Mr. CHANDLER. Mr. President—

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Illinois yield to the Senator from New Hampshire?

Mr. MASON. I do.

Mr. CHANDLER. If the Senator from Illinois would prefer to go on to-morrow morning, I will move that the Senate adjourn.

Mr. WOLCOTT. I hope the Senator will not press that motion. Here is an appropriation bill of importance. It is but half after 4. We are having a very interesting discussion, and the Senator from Illinois was proceeding with perfect contentment until he was interrupted by a private colloquy, which seems to be followed by a motion to adjourn. I hope it will not be insisted upon.

Mr. CHANDLER. I had a right to have a private colloquy.
Mr. WOLCOTT. I am only—
Mr. CHANDLER. I am speaking now; will not the Senator let me proceed?

Mr. WOLCOTT. I do not object to the private colloquy, but I do feel certain that if it had not taken place the Senator from Illinois would have been entirely content to go on.

Mr. CHANDLER. Let me say a word now.

Mr. WOLCOTT. Yes.

Mr. CHANDLER. I have a right to have a private colloquy whenever I please. The Senator from Illinois had previously called me to him and suggested that he wanted to cease for to-day. Then he went on, because I dislike to disturb the Senator from Colorado, and I especially dislike to disturb him when he is amiable, and I went again to the Senator from Illinois, and he said he preferred to go on to-morrow.

I wish to say to the Senator from Colorado that here is an appropriation bill which carries a hundred and ten million dollars.
Mr. WOLCOTT. A hundred and fourteen million dollars.

Mr. CHANDLER. A hundred and fourteen million dollars. It is all through but this one clause, and the Senator has been extremely successful in conducting an appropriation bill of this magnitude, with so many subjects connected with it, so near to conclusion in one day. Therefore I ask him to yield to the desire of the Senator from Illinois, which did not originate with me.

Mr. WOLCOTT. The Senator from Illinois and the Senator from New Hampshire share with me the responsibility of this bill, and I shall not interpose an objection if they desire that it shall go over. I will yield to a motion to adjourn.

Mr. MASON. The Senate seems to be somewhat thin. There is not a quorum here. I did not want to ask for a call of the Senate, and I supposed the Senator would call for the yeas and nays on the amendment.

Mr. WOLCOTT. Very well.

Mr. MASON. Perhaps I can boil down my remarks and finish in fifteen minutes to-morrow.

EXECUTIVE SESSION.

Mr. CHANDLER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Friday, May 18, 1900, at 12 o'clock m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 17, 1900.

CONSUL-GENERAL.

James C. McNally, of Pennsylvania, now secretary of legation and consul-general of the United States at Guatemala City, Guatemala, to be consul-general of the United States at that place.

PROMOTIONS IN THE ARMY.

Adjutant-General's Department.

Lieut. Col. John C. Gilmore, assistant adjutant-general, to be assistant adjutant-general with the rank of colonel, April 28, 1900.

Maj. Henry O. S. Heistand, assistant adjutant-general, to be assistant adjutant-general with the rank of lieutenant-colonel, April 28, 1900.

Medical Department.

Lieut. Col. Albert Hartsuff, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, April 28, 1900.

Maj. Charles L. Heizmann, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, April 28, 1900.

Capt. William Stephenson, assistant surgeon, to be surgeon with the rank of major, April 28, 1900.

APPOINTMENTS IN THE VOLUNTEER ARMY.

To be assistant quartermasters with the rank of captain.

First Lieut. Thomas B. Lamoreux, Second Artillery, United States Army, April 18, 1900.

John Gibbon, jr., of Oregon, April 18, 1900.

To be assistant commissary of subsistence with the rank of captain.

First Lieut. Thomas Franklin, Twenty-third Infantry, United States Army, April 28, 1900.

Forty-eighth Infantry.

First Lieut. Hugh Thomason, battalion adjutant, Forty-eighth Infantry, United States Volunteers, to be captain, May 1, 1900.

Fortieth Infantry.

First Sergt. Oliver P. Robinson, Company F, Fortieth Infantry, United States Volunteers, to be second lieutenant, April 27, 1900.

First Sergt. Tom B. Ellis, Company H, Fortieth Infantry, United States Volunteers, to be second lieutenant, April 27, 1900.

First-class Sergt. John Kennedy, Signal Corps, United States Army, to be signal officer, United States Volunteers.

Forty-sixth Infantry.

Sergt. Maj. William H. Clendehin, Forty-sixth Infantry, United States Volunteers, to be second lieutenant, May 8, 1900.

PROMOTION IN THE VOLUNTEER ARMY.

Thirty-fifth Infantry.

Second Lieut. Louis S. Chappellear, Thirty-fifth Infantry, United States Volunteers, to be first lieutenant, April 26, 1900.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

First Lieut. William C. De Hart, of New Jersey, to be a captain in the Revenue-Cutter Service of the United States.

POSTMASTER.

Howard K. Sanderson, to be postmaster at Lynn, in the county of Essex and State of Massachusetts.

HOUSE OF REPRESENTATIVES.

THURSDAY, May 17, 1900.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

RIVER AND HARBOR WORKS.

Mr. BURTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11646) making provision for emergencies in river and harbor works, for certain surveys, and for the diversion of certain appropriations or modification of provisions heretofore made.

The Clerk read the bill at length.

The SPEAKER. Is there objection?

Mr. SULZER. Reserving the right to object, I want to ask the gentleman from Ohio a question.

Mr. BURTON. I did not quite understand the gentleman from New York.

Mr. SULZER. I would like to know whether this bill carries any new legislation?

Mr. BURTON. In the sense of its being a general river and harbor bill, no; but from the standpoint of diversion of appropriation, provision for emergencies and for new surveys, yes.

Mr. SULZER. I would like to know whether this bill makes any appropriation for the improvement of the harbor at Brunswick, Ga.?

Mr. BURTON. None whatever. It makes no new appropriations for any harbor in the country. It contains appropriations for the maintenance of improvements in harbors already in use and for some new surveys.

Mr. CLARK of Missouri. I would like to know when that committee is going to bring in a bill that is really a river and harbor bill.

Mr. BURTON. It is our hope to bring it in early next December.

Mr. CLARK of Missouri. I believe I will object to the bill. [Cries of "Oh, no!" "No!"] The gentleman from Ohio is really contemplating bringing in a river and harbor bill at the next session?

Mr. BURTON. Yes.

Mr. CLARK of Missouri. I will withdraw the objection.

Mr. LIVINGSTON. Mr. Speaker, it does seem to me entirely out of place to bring up this bill in this way. This is the first time in the history of the House that a river and harbor bill has been presented to the House by unanimous consent in the morning hour. Not one man in ten on the floor knows what is in this bill, and it carries a large amount.

Mr. BURTON. In the first place, I want to say to the gentleman from Georgia that it does not carry a large amount, only \$400,000, \$200,000 of which is conditional. In the next place, the provisions of the bill have been very generally published. And I think those members of the House who have sought to know the provisions contained in the bill have already informed themselves in regard to the subject.

Mr. LIVINGSTON. On that question, Mr. Speaker, I want to say to the chairman of the committee just one word. There is one way in which a member of the House may inform himself as to a bill pending here, and that is by its being printed and put on his desk where he can get hold of it. We have had no such opportunity as that. Apart from that consideration, here is a large power or discretion transferred to the Secretary of War for the expenditure of money, nobody knows where, nobody knows how. Now, this is a completedodge. Instead of bringing here a genuine, regular appropriation bill the Committee on Rivers and Harbors has undertaken to substitute this measure, as to which nobody knows what it is. I do not know whether my part of the country is properly treated in this bill or not. I do not know anything about it.

Mr. BURTON. It is treated as well as any other.

Mr. LIVINGSTON. I dislike to object; it is not my rule to do so.

Mr. BURTON. Let me say further to satisfy the thought of the gentleman that there is not a large discretion given to the Secretary of War with regard to this emergency fund. He can expend on no single channel or improvement more than \$10,000. In addition to that it is necessary as a condition to the allotment of even that amount that he must have the recommendation of the local engineer in charge of the particular work, and that recommendation must be confirmed by the Chief of Engineers.

Mr. LIVINGSTON. I have no confidence in those engineers.

Mr. BURTON. It is also provided that the emergency must have arisen since March 3, 1899.

The bill is intended to provide for some cases which have been brought to our attention where, by the shifting of a sand bar or a sudden storm, a harbor has been either closed or materially impeded. There are perhaps a half a dozen such instances which have been brought to our attention; and it is quite likely that similar emergencies will arise during the coming summer months.

Mr. LIVINGSTON. But you have diverted a large amount of money.

Mr. BURTON. Not a large amount. The total amount involved here is not over \$200,000; and this amount comes from appropriations before made for improvements in the respective localities. I think I am safe in saying that the amount is not over \$200,000.

Mr. RICHARDSON. I should like to have the attention of the gentleman from Ohio [Mr. BURTON]. I agree with the gentleman from Georgia that it is a rather unusual proceeding to come here and ask unanimous consent for the consideration of a bill so extensive as this for rivers and harbor appropriations. I think I have never known anything like it. But I shall not object provided it clearly appears that this bill is supported unanimously by the Committee on Rivers and Harbors—

Mr. BURTON. It is so supported.

Mr. RICHARDSON. That is to say, that each member of the minority has considered the bill and there is no opposition on the part of any member of the minority of the committee.

Mr. BURTON. I will say to the gentleman that there was no division in the committee, either on political lines or geographical lines.

Mr. RICHARDSON. I did not suppose there was any division on political lines.

Mr. BURTON. I will ask the gentleman from Mississippi [Mr. CATCHINGS], the senior Democratic member of the committee, to state what was the general sentiment of the committee in regard to this measure?

Mr. BERRY. Before the gentleman from Mississippi [Mr. CATCHINGS] proceeds, allow me to say that this bill was thoroughly considered in committee and that the minority agreed to it. The largest appropriation in the bill—the only one of importance—is for the improvement of the mouth of the Mississippi River, rendered necessary by reason of the condition of the Eads jetties.

Mr. CATCHINGS. It is only necessary for me to say that the bill as reported was accepted by all the members of the committee; the measure is one they thought necessary to be passed.

Mr. RICHARDSON. One other question. I notice in this bill a provision in regard to Yaquina Bay, Oregon; and I notice in the report, which I have only had an opportunity to read hurriedly, an intimation that the contemplated improvement for which a very large appropriation was made a few Congresses ago is abandoned. Now, I want to ask the gentleman whether it is the intention of the committee to recommend to Congress the permanent abandonment of the improvement in Yaquina Bay?

Mr. BURTON. In regard to that, I will state to the gentleman that a year ago last winter the House committee included in their bill a provision repealing the authorization of the expenditure of \$1,000,000 for Yaquina Bay. That recommendation contained in the bill was accepted by the House. The bill went to the Senate, and in conference it was agreed that the repealing provision should be struck out, but that a board of engineers should be chosen to report again on the feasibility of the larger project. That board of engineers made their report, which was adverse to the larger project, involving a million dollars, but did recommend the taking out of a cluster of rocks near the channel, at a cost of about \$20,000.

Mr. RICHARDSON. The exact point of my inquiry is this: I notice a provision here in the report, quoting from the last paragraph in it:

A board of engineers has recently examined this locality and reported adversely upon the larger project, but in favor of removing certain rocks near to the channel entering the harbor.

The point of my inquiry is whether or not it was intended that there should be a permanent abandonment of a former provision for the improvement of that harbor.

Mr. BURTON. There would perhaps be a measure of impropriety in intimating what the action of the committee might be next winter. I am perfectly willing to say, as far as my own

recommendation is concerned, that it would be for the repeal; but the committee can point to their action of a year ago, when they did recommend the repeal of that provision for the larger improvement.

Mr. SOUTHARD. Mr. Speaker—

The SPEAKER. Does the gentleman from Ohio [Mr. BURTON] yield to his colleague?

Mr. SOUTHARD. I desire to suggest that this is all by unanimous consent, as I suppose.

The SPEAKER. Entirely so, thus far.

Mr. SOUTHARD. I desire to indicate my objection to the present consideration of this bill.

The SPEAKER. It is proper that the Chair should state, however, that this is privileged and that the gentleman can move to go into Committee of the Whole at any moment. The Chair assumes that the gentleman from Ohio is probably endeavoring to dispose of it in the House, because it can be more quickly done.

Mr. MADDOX. I wish to ask the gentleman from Ohio a question.

Mr. BURTON. I yield to the gentleman from Georgia.

Mr. MADDOX. Were you present the other day when the general deficiency bill was brought in?

Mr. BURTON. I think I was not.

Mr. MADDOX. Well, I call the attention of the House to the fact that that bill was dropped on us here one morning, and called up, and while they were asking for consideration copies of the bill were placed on the table, and that was the only knowledge we had of it, and that was a bill carrying over \$3,000,000.

Mr. BURTON. I want to say further, by way of answer to the question of the gentleman from Tennessee [Mr. RICHARDSON] and of the gentleman from Georgia, that this is not without precedent. In the early portion of the year 1897 a resolution appropriating \$200,000 for the Southeast Pass of the Mississippi was passed here by unanimous consent.

Mr. FITZGERALD of New York. Mr. Speaker, pending the request of the gentleman from Ohio, I wish to ask unanimous consent to print some remarks germane to the question of the improvement of Buttermilk Channel, in New York Harbor.

Mr. BURTON. I have no objection to that, and I hope the House will give consent.

The SPEAKER. Is there objection to the request of the gentleman from New York that he have permission to print some remarks in the RECORD?

Mr. PAYNE. On the improvement of Buttermilk Channel.

The SPEAKER. The Chair hears no objection.

Mr. BROMWELL. I should like to ask my colleague as to whether the entire amount of money that was appropriated in the last river and harbor bill for the survey of the Ohio River from Marietta to the mouth of the Big Miami has been expended?

Mr. BURTON. I can only say to the gentleman that at the date of the last report it was not.

Mr. BROMWELL. Then I should like to ask the gentleman whether it is necessary, in order that that survey may be continued in accordance with the provisions of the last act, that there should be a reappropriation for the current year of the unexpended balance.

Mr. BURTON. By no means. It is available until the work provided for is done.

Mr. BERRY. I will say to the gentleman from Ohio [Mr. BROMWELL] that I had a talk with Colonel Bixby only a few days ago, and there is ample money to complete that survey.

Mr. HEPBURN. I should like to ask the gentleman from Ohio a question.

Mr. BURTON. Certainly.

Mr. HEPBURN. I should like to ask the aggregate amount of appropriations, reappropriations, and diversions that are contained in this bill—all of them?

Mr. BURTON. Not over \$200,000 for reappropriations and diversions, I think. There is some degree of uncertainty because of the fact that the precise cost added by taking them up in this way can not be determined. For instance, for Cumberland Sound \$50,000 is appropriated, but there is a provision that the total amount to be expended by this diversion shall not cause the total cost of the improvement to exceed the amount originally provided.

For Lake George Channel there is diversion of \$100,000; and I will say to the gentleman from Iowa that by the official report of the War Department the damage done by reason of the detention of boats going through the present channel during last year was considerably over \$300,000. But \$200,000 will cover the amount of these diversions which involve any additional expenditures.

Mr. HEPBURN. Has the gentleman an estimate of the probable cost of the surveys that are authorized in the 11 pages relating to that subject?

Mr. BURTON. It is almost impossible to tell about that. It is a matter of conjecture. The surveys are to be paid for in the first instance from amounts already appropriated for the specific localities, if there is an amount sufficient on hand. The remainder

will be paid for from this fund of \$200,000. My conjecture would be that it would not exceed \$30,000. There are 44 surveys, and half of them at least will not require any expense, or any expense to exceed a hundred dollars or so.

Mr. HEPBURN. Is there a provision in this bill that authorizes the purchase of the old plant of the Eads estate?

Mr. BURTON. There is. The committee regarded that as desirable, and have tried in every possible way to hedge it about with provisions so that there can be no opportunity for fraud upon the Government, or the payment of an unreasonable price.

Mr. HEPBURN. I should like to ask further if that plant includes any modern machinery?

Mr. BURTON. No; no considerable amount of modern machinery. It is an old plant. That must be conceded. It is a plant much more expensive, however, than the upset price fixed in this bill, which is \$200,000.

Mr. COX. I should like to ask the gentleman a question to secure an explanation of one matter.

Mr. BURTON. Certainly.

Mr. COX. In the former appropriation bill a certain sum was designated and set apart for the survey and examination of lower Tennessee River. Part of that sum has been expended. The work is going on—

Mr. BURTON. I did not quite understand the gentleman's last remark.

Mr. COX. I say the work is progressing there, and I want to know if the sum appropriated for that purpose has been exhausted.

Mr. BURTON. It has not.

Mr. COX. I want to know whether the work will proceed there as it did under the bill that made the appropriation?

Mr. BURTON. Certainly. I think in a moment I can give the gentleman the exact amount.

Mr. COX. That is satisfactory.

Mr. RICHARDSON. One other inquiry. I should like to ask the gentleman from Ohio whether there is any indefinite appropriation in this bill; in other words, whether there is any opportunity for expenditure beyond the \$400,000?

Mr. BURTON. There is not.

Mr. RICHARDSON. No indefinite appropriation?

Mr. BURTON. No; the committee, I may say, have endeavored to frame the provisions here as carefully as possible. I will say frankly to the House that the provision about which we have had the most doubt is that in regard to the Eads equipment or plant, but I think that is very carefully guarded. The limit of \$200,000 is contained in the bill. A valuation must be made by a board of engineers. Their valuation must be confirmed by the Chief of Engineers. It is still left then to the discretion of the Secretary of War whether he shall purchase it or not.

Over against that it may be said that there has arisen a serious emergency; and as the Government must terminate that contract within the year, it seemed desirable that we should take it up and dispose of it now.

The SPEAKER. Is there objection?

Mr. SOUTHARD. I object. I had already indicated that I would object.

The SPEAKER. Did the gentleman object before?

Mr. SOUTHARD. I suggested that I would object.

The SPEAKER. The Chair did not understand it up to this time.

Mr. BURTON. Mr. Speaker, this is a privileged bill; and I move that the House go into Committee of the Whole House on the state of the Union for the consideration of this bill.

The question was taken; and the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. HEPBURN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11646, which the Clerk will read.

The Clerk proceeded to read the bill.

Mr. BURTON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. BURTON. Mr. Chairman, the provisions of this bill have already been quite fully explained in answer to questions. The total amount appropriated or authorized in addition to certain diversions which are provided for is \$400,000. Of this amount \$200,000 is absolutely appropriated and \$200,000 conditionally appropriated. The \$200,000 absolutely appropriated is to be set apart as a fund for emergencies such as have arisen since the 3d day of March, 1899, in cases where there is no amount of money available for making necessary improvements. It is provided that this amount shall be allotted by the Secretary of War; but such allotment must first have the approval of the local engineer in charge

of the local improvement and be approved by the Chief of Engineers.

It is further provided that no allotment shall exceed \$10,000 in any particular case. I will give one or two illustrations. Shrewsbury River, New Jersey. The channel has been absolutely destroyed. Three thousand dollars would probably reopen it. Through that channel the amount of tonnage is a million tons per annum, and of passengers there were 480,000. Another illustration is the harbor of Ashtabula, on Lake Erie, a harbor in which the receipts of iron ore are larger than any other port in the world. There was a channel last year of 17 feet and more. To that depth the traffic of that locality has adapted itself; and yet, by reason of a slight shoaling, three boats have already stuck on the bar outside, and very serious injury has been done to the shipping; and \$3,000 would probably remove those obstructions. Others have been called to our attention which we have not been able to investigate so thoroughly; but it is probable that during this coming season other emergencies will arise. The committee did not feel justified in allowing this Congress to adjourn this session without making provision for such emergencies.

It is provided that from this \$200,000, \$30,000 or—I can not state the exact amount—such amount as may be necessary shall be applied to the making of surveys provided for in the bill.

The second section includes a provision for 44 surveys. The committee have tried very carefully to diminish the number and keep within a narrow limit, but it must be borne in mind that at every session of Congress concurrent resolutions are passed providing for these surveys. It seemed fair to collect and include in this bill as large a number as we thought could be made by the Engineer Corps during this summer without interference with other work. If only separate resolutions were recommended, injustice might be done to specific localities. It was our effort to select those that seemed most deserving.

It is possible that some may have been disappointed in regard to these matters, but we must rely upon the temper of the House and the fact that it would not be desirable to include a great number of surveys such as are ordinarily included in a river and harbor bill, because our engineer force is limited and it would unduly interfere with the efficiency of their work during this coming season.

The third section of the bill pertains to the acquisition of the plant of the legal representatives or the heirs of Mr. James B. Eads, at the mouth of Mississippi River. In 1875, under a statute passed on the 3d day of March, and by supplementary statutes, passed at a later day, a contract was made with Mr. Eads, now continued with his heirs and legal representatives, by which they were to have control of the navigation through that pass.

They received a certain amount, and in addition were to receive \$100,000 per annum for the maintenance of a channel 26 feet in depth and 200 feet in width, with this proviso; that if on any day of the year they should fail to maintain a channel of that depth and width that day was to be deducted from the year, and they were to receive no compensation therefor, and the time lost was to be added to that included in their contract. At the date of the last official report, this contract would have expired on the 8th day of December, 1900. Since then failures to maintain the proper specified depth and width have occurred, so that the termination of the contract will run somewhat beyond that date. But the occurrence of these failures is the strongest argument why something should be done.

In the first place, the Government must, at the termination of their contract, take charge of the South Pass. It is the only outlet for the commerce of the Mississippi River. In the second place, commerce through that pass is very seriously interfered with every day that the depth falls below 26 feet. There is a still further disadvantage of a serious nature, that shippers from all over Europe sending their boats to New Orleans make their calculations according to a specified depth; and if they are not able to make accurate calculations, only the lighter draft boats are sent there. The damage to commerce seeking its outlet through the Mississippi by this South Pass, I am satisfied, during a single year would be much more than \$200,000 if we fail to make some provision of this kind.

Not only is provision made so that the Secretary of War may in his discretion terminate this contract, but it is also provided that he may pay an amount not exceeding \$300,000 for the purchase of the plant and equipment possessed by the Eads heirs and representatives. It is probable that they will give a favorable bargain. The plant would be of little value to them if transferred elsewhere, but it would be of great value to the Government, because it would enable us to continue the work without interruption. To prevent an extortionate price, it is provided in the bill that the valuation shall be fixed by three engineers, and their judgment shall be approved by the Chief Engineer, and, beyond that, it is entirely left to the discretion of the Secretary of War what he shall do. It is provided that, on a failure to agree, an appropriation of \$200,000 is made available for a new plant in case no agreement is made with the heirs of Mr. Eads.

Mr. JONES of Washington. Can I ask the gentleman from Ohio a question?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Washington?

Mr. BURTON. Yes.

Mr. JONES of Washington. As I understand, there is no money in this bill available for the survey of the harbor at Grays Harbor, Washington?

Mr. BURTON. None.

Mr. JONES of Washington. Is there any reason other than the general reasons which the gentleman has stated why provision was not made for that harbor?

Mr. BURTON. It seems to me from an examination of that harbor, as I believe I stated in the debate of February, 1899, that it belongs to the Navy rather than to the War Department. The plan for it originally contemplated a naval station, and it seems to me that it points to that purpose.

Mr. WHEELER of Kentucky. I would like to ask the gentleman a question.

Mr. BURTON. Certainly.

Mr. WHEELER of Kentucky. Is it the purpose of the committee to resist all amendments to this bill?

Mr. BURTON. We can not accept any amendment to the bill—

Mr. WHEELER of Kentucky. I understand the difficulty under which the gentleman labors.

Mr. BURTON (continuing). For fear that injustice may be done to some parties. We have endeavored to sift them out and bring in the best bill we could.

Mr. WHEELER of Kentucky. I am confident of that; but I desire to call the gentleman's attention to one thing in making provision for improvement of rivers near the headwaters.

Mr. BURTON. What river?

Mr. WHEELER of Kentucky. No particular river, but for improvements along the headwaters or along its source, it occurs to me that it is rather an unwise expenditure of money if there are such impediments or obstructions to navigation near its mouth as to prevent the passage of navigation at any stage of low water. For instance, take the Ohio River, which I am interested in, and the Tennessee River—the gentleman will remember that I have called his attention—I trust he will, although I know he has a great many things to attend to—of the existence of a bar near Ogden Landing. The lower part of the Ohio River is practically free from obstructions to navigation of this sort, and for a hundred miles from the mouth it could be navigated at all times of the year. The Government has constructed at great expense wing dams, and on account of the existence of this one bar there is only about 3 feet of water there at low water. Now, I realize the difficulty that confronts the committee, but it would be a wise provision to require the Government engineer to survey and see what the construction of a wing dam would cost there, because it would open up the lower Ohio River at all times of the year.

Mr. BURTON. Perhaps an explanation can be given that will satisfy the gentleman from Kentucky. A comprehensive plan is under way for the survey of the whole Ohio River. Commercial associations have petitioned that provision should be made for a survey from the work already done to the mouth. It seemed entirely impracticable to accomplish the work extending over so great a length in any one or two years, hence provision was made in the last river and harbor act for a survey from Marietta down to the mouth of the Miami River, or near to the line between Ohio and Indiana. While, as I said a few moments ago, I would not feel like forecasting any future action of the committee, it is probable that when this part of the work is completed further provision will be made for surveying to the mouth of the river. But it seems desirable not to take up any detached location and survey it. It is decidedly better to carry on one united comprehensive plan.

Mr. WHEELER of Kentucky. I shall follow the gentleman's suggestion. I do not want to interfere with the work of the committee, because I realize its difficulty; but I would like to ask about how long will it take to complete the survey now provided for?

Mr. BURTON. It would be impossible to tell; but I should expect it would be finished by June 30, 1901. I say that only as a conjecture.

Mr. WHEELER of Kentucky. Would the gentleman be willing to undertake to forecast what the committee would do next session?

Mr. BURTON. As I have said, I would not feel disposed or able to forecast any action that the committee may take in the future; but if it should be manifest that the work already provided for would be finished by the close of the next fiscal year. I think it likely the work would be continued. It would be the mere completion of what has been commenced.

The gentleman from Texas [Mr. BURLISON] asked me in regard to a survey of the Brazos River. In response to that inquiry I will say that the committee carefully considered that project;

but it seemed too extensive to be taken up in this bill. It involves the survey of a very lengthy river; the examinations would cost a very considerable sum—a large fraction of the whole amount that it is expected will be expended on all these 44 surveys. We hardly thought it just to take up so large a project.

There is another point in the same connection—there has been a survey of another river in Texas, the Trinity River, provided for in the act of March 3, 1899. The committee was not desirous of making any discrimination between the two rivers; but it seemed that the Trinity was the one that promised more favorable results, and the one which should be first considered. The territory drained is no greater, but the condition of the banks is better, and the improvement would be more satisfactory.

Mr. WHEELER of Kentucky. As I understand, there is to be a general river and harbor bill reported at the next session.

Mr. BURTON. We expect to report such a bill next December.

Mr. BOUTELL of Illinois. Is it not the policy of your committee and of this House to make at all times the necessary appropriations to preserve Government work already done, which would be lost in whole or in part through the failure of appropriations?

Mr. BURTON. We hope to do so; and I will say that this emergency provision has that object distinctly in view.

Mr. BOUTELL of Illinois. Would this emergency provision guard against the loss which is threatened to the Government work at and near Rulo and Nebraska City on the Mississippi River?

Mr. BURTON. If the gentleman desires an answer, I will say that I do not think provision should be made for that in this bill—not by specific appropriation. If within the limits of \$10,000 the work can be restored, it would come within the emergency provision of this bill, provided it is recommended by the engineer and that the deterioration has arisen since March 3, 1899; but I think it due to the gentleman and the House to say that so far as examination has been given at that place it seems to be a work which should not be done by the United States Government, but by a railway company having a bridge there which the water threatens to undermine. I think the House ought not to vote to expend money there without very careful examination.

Mr. BOUTELL of Illinois. My attention has just been called this morning to Senate Document No. 330, which contains full information in regard to that matter, and which would seem to indicate that the work heretofore done by the Government would be seriously damaged, and perhaps lost, unless some provision be made for carrying on that work.

Mr. BURTON. I can only say to the gentleman what I have already said, that if the work comes within the scope and limitations of this emergency provision, it will be provided for. But as to making any specific provision further than that, I know two or three hundred different works that are more deserving.

Mr. CLARK of Missouri. I call the gentleman's attention to pages 5 and 6 of the bill, under the head "Illinois." I wish to inquire whether that paragraph is not the beginning of a scheme to have the National Government take that Chicago ditch off the hands of the Chicago people and make it a great national waterway?

Mr. BURTON. I do not think so.

Mr. CLARK of Missouri. Then, what is it there for?

Mr. BURTON. The provision is for a thorough examination and report upon the feasibility of the work. There is no very long step taken in the direction indicated by the gentleman.

Mr. CLARK of Missouri. Just a little step to begin with.

Mr. BURTON. Not even a little step in the way of committing the Government.

The gentleman must remember in the last river and harbor bill the sum of \$30,000 was appropriated for making a survey there. About \$18,000 of that sum was expended. It contemplated a much less depth than is now in view. But further observations and reports upon that survey as already made will be perhaps required, making the aggregate cost under the act of 1899 \$20,000. There was, it is true, a desire that a provision should be made for an absolute survey and estimates along that route, but the committee limited it to investigations and estimates which could be accomplished by the expenditure of the balance of that \$30,000. So the gentleman will see there is no very dangerous commitment to any particular project. I will say that no provision for a survey was quite so unanimously presented before us by any State delegation as this was by the members from the State of Illinois. And as there was an unexpended balance we thought it due to them that this amount should be applied for the purposes that they desire. To make a complete detailed survey there the cost has been variously estimated. One estimate is \$250,000. We have by no means undertaken anything of that kind.

Mr. COONEY. I should like to ask the gentleman a question for information.

Mr. BURTON. Certainly.

Mr. COONEY. In answer to the gentleman from Iowa, with reference to an improvement, I believe the chairman of the committee referred to a general proviso giving the power to somebody

to perform certain necessary work where needed and where in the judgment of that body it was thought fit. I should like to have my attention called to that.

Mr. BURTON. That is on the first and second pages of the bill. It is as follows:

(1) To provide for the restoration of channels, or river and harbor improvements, heretofore established or made by the Government, where, by reason of emergency occurring since the passage of the river and harbor act of March 3, 1899, the usual depth of such channels, or customary use of such improvement, can not be maintained, and there is no sufficient fund available for such restoration. The amount herein provided, or so much thereof as is not required for the surveys hereinafter mentioned, shall be allotted by the Secretary of War: *Provided*, That in no case shall such allotment be made unless recommended by the local engineer having such channel or improvement in charge, and the Chief of Engineers, respectively: *Provided further*, That for no single channel or improvement shall a sum greater than \$10,000 be allotted.

Mr. COONEY. Now, I would like to ask further if the Missouri River Commission is included?

Mr. BURTON. I suppose they would be included in that. They are the local engineers, certainly.

Mr. COONEY. And for necessary work to be done on the Missouri River?

Mr. BURTON. It does not say "necessary work." It is not so broad as that. The gentleman must not understand it as being as broad as that. It is only where an emergency has arisen since the 3d of March, 1899, the presumption being that if there was any emergency existing then which was worthy the attention of Congress and of an appropriation, that it was taken care of in that bill.

Mr. COONEY. This does not reach it, then?

Mr. BURTON. I would not say as to that. I can only say—

Mr. COONEY. If the emergency arose before the 3d of March, 1899, it is not covered.

Mr. BURTON. It is not. Of course, if it simply commenced before that, and afterwards became serious, that might make a difference.

Mr. COONEY. There are many such places in the Missouri River, where it is necessary to have appropriations to protect the work that the Government has already performed and commenced. Now, I wish to say, further, that many of those points would have been called to the attention of the Committee on Rivers and Harbors had there been any intimation to the parties interested that the committee was intending to bring in an appropriation or a river and harbor bill of any kind.

Mr. BURTON. I will say to the gentleman that very early in the session an intimation was given. It was given out in an interview that we would bring in just such a bill.

Mr. COONEY. I did not so understand it.

Mr. BURTON. This is no revocation of the action that the committee took at the beginning of the session. It is pursuing exactly the policy that we intended to pursue at that time.

Mr. COONEY. I have made inquiry of various members of the committee, and invariably I have been informed by them that there would be no bill brought out from the River and Harbor Committee making appropriation of any kind at this session.

Mr. BALL. Mr. Chairman—

Mr. BURTON. I will yield to the gentleman from Texas.

Mr. BALL. The gentleman from Missouri has suffered no injustice at all, because there is no provision for an appropriation at any particular point.

Mr. COONEY. There are a good many provisions made for localities, for surveys, estimates, and so forth, are there not?

Mr. BALL. Yes; but no provisions for appropriations to take care of any particular place.

Mr. COONEY. It would require an appropriation of some money to make those surveys. I was just wanting to know why these other points were left out and whether the Missouri River Commission were provided for at all or in any manner in this bill.

Mr. BURTON. They have a certain amount of money on hand.

Mr. COONEY. Can you give me some information as to that amount?

Mr. BURTON. The amount changes so from month to month that I am not able to give the information at this moment, but in a few minutes I will state the figures to the House or convey the information to the gentleman.

Mr. COOPER of Wisconsin. Will the gentleman from Ohio permit a question?

Mr. BURTON. Certainly.

Mr. COOPER of Wisconsin. I notice on page 17 of the bill a provision concerning Lorain Harbor, and I should like to ask the chairman of the committee if a correct construction of that provision does not permit the engineer to use the aggregate amount provided for in the last bill for the completion of the work to construct any portion of it?

Mr. BURTON. Literally it does. I desire, however, to explain that situation to the gentleman. A certain work was recommended. The estimate was \$695,500. In the act of March 3, 1899, the House included that figure. The Senate, acting on some

information, the nature of which and the source of which I am unable to state, cut the amount down to \$650,000, thinking that would be sufficient.

The result has proven that the estimate of the House was the correct one. The bids have been received and come within the limit of \$650,000, but only leave \$10,000 for contingencies, an amount which the local engineer regards as insufficient. He thought there should be twenty or thirty thousand dollars left for contingencies, so he has refused to let the contract. Two piers which were to be rebuilt, and which constitute an important part of the work, are rotting away. If something is not done during this season the expense of making this improvement will be very greatly increased. This provision is intended to meet that situation, and to provide that the engineer may go on and make contracts for part of the work, and in the very nature of the case I think I can say it is impossible that he should materially exceed the amount fixed by the House in its bill last year.

Mr. COOPER of Wisconsin. Nevertheless, let me inquire of the gentleman, is it not true that under this bill as it now stands he could use the whole amount of \$400,000 or \$600,000 to complete any portion of the work, and that there is then no way of determining what the actual cost would be?

Mr. BURTON. On a literal reading I will say yes; but that class of work is done within very narrow limits as to cost.

Mr. COOPER of Wisconsin. Is not that very unusual? Does not the law now require that before any work shall be entered upon estimates shall be made of what the aggregate cost will be? Now, if we proceed in this bill to permit them to use the entire amount for any portion of the work, do we not leave it so that the aggregate cost of the work is not known?

Mr. BURTON. I do not think so, because the limits are so narrow. The correctness of the estimate of the engineer is proven by the fact that it came within the amount specified by him, \$695,500, and in order to have that work done some provision ought to be made, because it is a very important port. I really do not know of any phraseology to meet the situation better than that adopted here.

Mr. COOPER of Wisconsin. Let me suggest to the gentleman, could not this bill provide that the aggregate amount heretofore provided for could be used for the completion of certain contracts for a portion of the work, based upon the bids already received?

Mr. BURTON. I will say to the gentleman that the bids already received are for the whole work.

Mr. COOPER of Wisconsin. What is there to prevent them, under the provisions of this bill, letting new contracts?

Mr. BURTON. Nothing except honest administration by the executive department and the discretion vested here in the Secretary of War.

Mr. COOPER of Wisconsin. In other words, we are to leave the expenditure of money to the discretion of public officials, rather than let it be done by Congress?

Mr. BURTON. Within certain limits we have to do it.

Mr. COOPER of Wisconsin. But there is no limit. They can let new contracts or use it in any contract.

Mr. BURTON. They might, but there is no danger that they will; the limits are so narrow, the price is so well ascertained in that locality.

Mr. COOPER of Wisconsin. Suppose they let new contracts and use all the money for two-thirds of the work, say, or any portion of the work; how much would it cost hereafter?

Mr. BURTON. The other third, of course. That is easily computed—about \$200,000.

Mr. COOPER of Wisconsin. But suppose you do not know the cost. You are going to make new contracts; you do not know how far the money is going to go; and so you do not know when we pass this bill what the aggregate of that work is to be.

Mr. BURTON. We have this recourse: If any portion of the work is extravagantly done, we can refuse to make the appropriation for the rest. I have no fear from that provision, because there have been so careful estimates made of the cost. I should prefer, perhaps, a little different phraseology if it accomplished the object intended; but I am unable to see how it would. The bids that have been received only exceed by \$10,000 or \$20,000 the amount already appropriated. That is the bid at which the work can be done. It is on thus narrow a margin.

There are certain other matters that have been presented to the House and fully explained. In one case provision was made—that was at Charleston Harbor—for the purchase of a dredge. It was found that the amount appropriated would not be sufficient to build a dredge, in view of the rise in the price of the material; and it was thought desirable to allow them to go ahead and do the necessary dredging. In another, the one pertaining to Upper White River, Arkansas, a dam was provided for at an expense, I believe, of \$156,000 in the last river and harbor act. The Government engineers are not able to make a contract within that limit; but they have a plant installed there, used for the building of another dam, which is already completed, and if they could be

allowed to make separate contract for labor and materials it is thought the dam might be completed within the limit. On Ocmulgee River, Georgia, there is a similar provision.

I reserve the balance of my time. I will answer any further questions that gentlemen desire to ask.

I ask, Mr. Chairman, unanimous consent that the further reading of the bill be dispensed with, and that the committee rise and report the bill back to the House with a favorable recommendation.

Mr. SOUTHARD. I understand, under the rules—

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the further reading of the bill be dispensed with, and that the committee rise and report the bill back to the House with a favorable recommendation.

Mr. SOUTHARD. Mr. Chairman, I understand, under the rules, I have the right to demand the reading of the bill, section by section. I make that demand.

The CHAIRMAN. Objection is made.

Mr. BURTON. I want to say to the gentleman from Ohio that I understand he had a project for the diversion of money for the harbor at Port Clinton, Ohio. He certainly can not accuse me of any lack of friendliness in that matter. I wrote to the local engineer requesting information on the subject, and his reply was an unfavorable report, and upon that report I did not feel justified in putting it in the bill. The gentleman is at liberty, if he desires to do so, to go counter to the temper of the House in regard to the time to be consumed in the consideration of this bill, and try to make the diversion such as he seeks of the money for that improvement.

Mr. SOUTHARD. In answer to the gentleman from Ohio, I desire to say simply this: I have been to the engineer's office, I have been to the committee room of the Committee on Rivers and Harbors, and this is the first statement that I have ever heard from any source of any objection to the diversion of this small amount for Port Clinton Harbor. I have never heard up to this time the slightest objection, I may say from anybody, and while I have talked with the gentleman from Ohio on divers and sundry occasions, beginning at a very early date during this term, and extending almost up to the present time, this is the first intimation that I have ever received from him or from anybody else that there was any objection to it. I do not now understand it. Of course my communication with the engineer was merely verbal. I talked with the chairman of the committee, and I think the chairman will bear me out in stating that he at no time intimated to me that from any source he knew of any objection, or that he had any objection himself.

When the proper time comes I desire to move an amendment to one of the sections of this bill providing for the diversion of \$6,000 from the purpose for which it was appropriated to another purpose—that of dredging the harbor at Port Clinton. I have no doubt that I can satisfy this House that it is a most worthy amendment and that it is something which ought to be done.

I know more about this little matter than does the engineer of whom the gentleman has spoken. I desire to say, in justification to myself, that this is a matter that I have been pursuing the whole term. I have satisfied my people and have said to them, relying upon statements that have been made to me, that while in all probability no river and harbor bill would be reported at this session, if a bill of any kind or character was reported, provision would be in it for the diversion of this \$6,000.

Now, I have been put in the position of making representations to the people of this locality that are not warranted. They have sent word that they would be glad to appear here and inform the committee of the urgent necessity, and the great importance to them, of this little diversion. They have been told that it was not necessary, that there would be no objection to it, and I know enough to know that those who have said that to them have had something upon which to rely.

Now, so far as I am personally concerned, I say that in answer to what the gentleman from Ohio [Mr. BURTON] has said, I do not like to be put in a position where anybody can say that I have made statements to them inconsiderately, or upon a basis upon which I had no right to rely. Of course, that has nothing to do with the merits of the motion which I shall make when we reach the proper place in the bill.

Mr. BURTON. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio [Mr. SOUTHARD] be permitted to offer his amendment now.

Mr. CLARK of Missouri. I object to that unless we have a right to amend the bill generally.

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Missouri?

Mr. CLARK of Missouri. I do not ask him to yield; I object. [Laughter.]

Mr. BURTON. I ask that the reading of the bill be proceeded with.

Mr. CLARK of Missouri. I wish to be understood about this. I do not want to object to the amendment of the gentleman from Ohio [Mr. SOUTHARD] especially, but I do object to it unless we can have the right to amend the bill generally.

The CHAIRMAN. Does the gentleman from Ohio [Mr. SOUTHARD] surrender the floor?

Mr. SOUTHARD. I call for the reading of the bill and reserve the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk, proceeding with the reading of the bill, read as follows: Fire Island Inlet, in Great South Bay, to Patchogue River. With a view to obtaining a channel not less than 10 feet in depth and 200 feet in width at mean low water.

Mr. CLAYTON of New York. Mr. Chairman, I move to amend that section by adding to that the words "Sheepshead Bay."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add, after line 24, page 8, the words "Sheepshead Bay."

Mr. BURTON. Mr. Chairman, I trust the committee will not adopt this amendment. We gave the State of New York four surveys, a number as large as we gave to any other State. The objection to adding another one is in line with that which I have already stated, that if we add to the number in the bill the engineer force will have more than they can do. On the 31st of December last we found a very large balance of appropriations for river and harbor improvements unexpended, and one reason given was that they had such an unusual number of surveys last year that their attention was given to them rather than to improvements provided for. We do not want that repeated. The number is already altogether beyond what the committee would have preferred to have included in this bill.

Mr. CLAYTON of New York. Mr. Chairman, this bay is a very important one. There is quite a large trade going on there. It has been filled up and is filling up. I have inquired at the office of the Chief Engineer and he tells me that nothing can be done until a survey is authorized by Congress. Now, I did not know that this bill was going to be introduced at this session or I would have gone before the committee with the full particulars. All that is asked by this amendment is that the bay may be surveyed, with a view to bringing in a bill for the proper improvement of it at the next session. If this does not go through, and no survey is made, it means that next year when this large bill for rivers and harbors is brought in, nothing for this bay can be included in it because no survey will have been made. I think it is nothing more than right to authorize the survey at this time, so that next year some provision may be made for improving it.

Mr. BURTON. I ask for a vote upon the amendment.

The question was taken, and the amendment was disagreed to. The Clerk read as follows:

Sandusky Harbor: With a view to obtaining and maintaining a channel 21 feet deep at mean lake level, with a width of 400 feet in the approaches to harbor front and 300 feet in the harbor channels.

Mr. SOUTHARD. I move to amend by inserting after line 8, page 10, the provision which I send to the desk.

The Clerk read as follows:

Port Clinton Harbor: That the Secretary of War is hereby authorized, in his discretion, to cause the unexpended balance of the appropriation heretofore made for the improvement of the harbor at Port Clinton, Ohio, to be applied to and expended in the improvement of said harbor by deepening and widening the channel thereof.

Mr. SOUTHARD. Mr. Chairman, it will be noticed that this amendment places it in the discretion of the Secretary of War to determine whether he will make this diversion or not. That is all we have ever asked, and I am at a loss to know how the Secretary of War can be interested, or how the engineer can be especially interested, in any provision or amendment of this bill which places the matter entirely within his discretion.

Port Clinton Harbor is not a very important harbor. The commerce at Port Clinton is not great. Yet the harbor there is in a very bad condition. The boats that do the trading there, such as it is—it is a town of some five or six thousand inhabitants, perhaps—the boats that do the trading there in the present condition of the harbor are obliged to lighter; that is, they are obliged to unload outside the harbor and bring their freight into Port Clinton on other boats than those which are employed to do the freighting between Port Clinton and other towns.

I think that the River and Harbor Committee, in its last bill but one, appropriated \$10,000 for the improvement of Port Clinton Harbor. The improvement of this harbor began a great many years ago. My recollection is—I have sent for the report of the Secretary of War, but it has not yet arrived—my recollection is that the appropriation was for an improvement of the pier of Port Clinton Harbor. The last river and harbor bill, as I recollect, carried an appropriation for that harbor of \$6,000. This was also an appropriation for the improvement of the pier of that harbor. Now, the improvement of the pier has been going on; but what

they need now, and need badly, is not the improvement of the pier but the improvement of the channel, so that vessels can get in and out of the harbor without transferring their cargo to other vessels.

The appropriation of \$6,000 was made, according to my recollection, for improving the pier, that appropriation being carried in the last river and harbor bill. That sum of \$6,000 and more remains unexpended, and will remain unexpended, whether or not the money is diverted as I ask in this amendment. All that this bill proposes is that this \$6,000 may be taken and used where it will do the people of that locality some good. I think the people of that locality know just what they want as well—I do not mean any disrespect—as the chairman of the River and Harbor Committee.

I received a good many communications during the early part of this session, some of them directed to me, some of them to the chairman of the River and Harbor Committee, all urging in the strongest terms the use of this \$6,000 for the dredging of the channel, so that vessels may get into and out of this harbor without the great expense and trouble incident to the transferring their cargoes to smaller vessels.

It will be noticed that this amendment places the whole matter in the discretion of these officials; and it is certainly a surprise to me that anybody could find any objection to such a proposition, especially under the circumstances.

I understand, of course, that there is provision made in this bill for the meeting of emergencies, for taking care of the conditions which have arisen out of emergencies, or something of that kind—at any rate providing for matters of emergency that have arisen since the report of the last river and harbor bill a year ago last March.

I do not know exactly when the harbor at Port Clinton got into its present condition. I do not know whether that condition is due to any recent fall of the water or not. What I do know is that the harbor is in a bad condition; and I know that the diverting of this fund—the small amount of \$6,000—to the improvement of the channel will place it in a condition which will result in the saving of a good deal of money, a good deal of labor, and a good deal of annoyance to the people of that locality and people trading there; and it seems to me that it is not an unreasonable provision that we ask to have placed in this bill.

This amendment does not provide for a dollar of appropriation. The money has already been appropriated for the improvement of the pier. All we ask is that this \$6,000 be diverted from the improvement of the pier and applied to the improvement of the channel, in the discretion of the Secretary of War. Is there anything unreasonable about that? I am satisfied that we can persuade the Secretary of War, no matter what opinion he has expressed, that this is an improvement which ought to be made; that this is a proper thing to do. I am sure that, when his attention is called to the condition of things as they exist to-day, he will have no objection. He has that discretion in the matter, and I do not see why there should be any objection on the part of the chairman of the Committee on Rivers and Harbors or on the part of anybody else. I ask that this amendment may pass.

Mr. BURTON. Mr. Chairman, my colleague from Ohio [Mr. SOUTHARD] has talked as if I had some special antipathy to his locality. An argument of that kind is not worthy of a moment's consideration, and I will dismiss it without attention.

We are compelled to act upon the recommendations of the Engineer Corps of the United States and upon the most accurate information which comes to us. We are compelled to turn down three-fourths of the favorable reports that come to us from the engineers, and I submit that we would be going far away from our duty if we made an appropriation or diversion against the opinion of any of them.

As regards the argument that this is all within the discretion of the Secretary of War and will not do very much hurt anyway, the Secretary of War, in the exercise of his discretion, accepts our provisions, generally speaking, as mandatory. We do not want to weaken those provisions in this bill where we expect him to exercise his jurisdiction, and act, by putting in others where he ought not to exercise his discretion and ought not to act.

As regards this harbor, I will read very briefly from the last report of the Chief of Engineers on page 5252:

The condition of the channel at Port Clinton Harbor remains practically the same from year to year. It is not a harbor for general commerce. It is the headquarters of large fishing industries and a landing place for small steamers carrying passengers and freight.

Depths in the channel have been made as great as the present or probable future commerce justifies. The project of improvement covers merely the reinforcing of old wooden channel protection by banks to sustain it, so placed as to be permanent.

I desire also to have read a letter from the local engineer, which the clerk of the committee informs me was handed to my colleague [Mr. SOUTHARD] for his perusal soon after its receipt.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

UNITED STATES ENGINEER OFFICE, 185 EUCLID AVENUE,
Cleveland, Ohio, February 23, 1900.

SIR: Your letter of February 22 is at hand, and in reply I would say the last appropriation of \$6,000 for Port Clinton is still unexpended.

Some months ago specifications were issued and proposals invited to complete the repairing of piers, as far as possible, in accordance with the approved plans, no bids having been received.

Personally I have no preference whatever regarding the way in which the money may be expended. No recent surveys have been made in the harbor, but I have no reason to presume that the depths have changed to any appreciable extent. The people at all the harbors are clamoring for deeper water, but it is my impression that at Port Clinton the more good would be accomplished by expending the present balances in reinforcing the old piers than in deepening the channel. Reasons for this may be briefly stated: In order to get a depth of water greater than 10 feet the dredged channel must extend for some distance outside the ends of piers, and I doubt very much whether the money now available would accomplish sufficient to permit of vessels of larger draft than now enter the harbor, because it is doubtful if the amount would be sufficient to cover the entire width and length of channel required. In a permanent strengthening of the piers, however, the money would be well expended, and will make a permanent improvement.

If the channel is to be dredged to a greater depth, it is my opinion that a separate estimate and project should be submitted, and to do this will require the authority of Congress.

Very respectfully,

JARED A. SMITH,
Colonel, Corps of Engineers, U. S. A.

HON. T. E. BURTON, M. C.,
Washington, D. C.

Mr. BURTON. I ask for a vote on this amendment.

The amendment of Mr. SOUTHARD was rejected.

The Clerk resumed the reading of the bill.

Mr. SOUTHARD. I withdraw the request, so far as I am concerned, for any further reading of the bill.

Mr. BURTON. Mr. Chairman, in order to meet an objection made by the gentleman from Wisconsin [Mr. COOPER], for which I do not think there is any substantial basis, I desire to introduce an amendment so that it may be put beyond peradventure. It is an amendment to come in on page 17, in regard to Lorain Harbor, Ohio.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

After line 20, page 17, insert:

"Provided, That the cost of any portion of such work shall not exceed by more than one-tenth the estimate of cost as heretofore made in the report of Chief of Engineers."

Mr. BURTON. Briefly, in explanation of that, I will say that the cost is so well ascertained that I think that there will be no considerable lee way, but to insert this provision merely authorizes the expenditure of an amount approximately the same as was included in the House bill, but which was cut down by the Senate in 1899. I ask for the adoption of that amendment in order to eliminate any possible danger of extravagance.

The amendment was agreed to.

Mr. BURTON. I now ask unanimous consent that the further reading of the bill be dispensed with.

Mr. WEEKS. Before that is done, I have a proposition to submit by way of an amendment to this bill. My proposition is to expend on the Black River in my district, in Michigan, some of the unexpended balance of a former appropriation, for the purpose of dredging a distance of about 800 feet upstream beyond the Grand Trunk Railroad bridge, so as to accommodate some large enterprises like the Michigan Sulphide Fiber Company and others doing business and navigating the river beyond and above that bridge. I have prepared here an amendment which I will send to the Clerk's desk, together with another amendment immediately following in reference to extending the work on the Clinton River, also in my district, in the State of Michigan. For that there is also an unexpended balance. Neither of these enterprises will require an appropriation. The money is on hand. It only requires an estimate by the Engineer Department and the expenditure of money already appropriated. The total of these two improvements will not probably amount to \$3,500, but the improvement and deepening of the channels of those streams are absolutely necessary. I send the first of my proposed amendments to the Clerk's desk.

The CHAIRMAN. The gentleman from Michigan offers an amendment which the Clerk will report.

The Clerk read as follows:

That the unexpended moneys heretofore appropriated for the improvement of the Clinton River, Michigan, and the deepening and widening the channel thereof, amounting to \$7,130.17, or such part thereof as may be necessary, may be expended in making such improvements on said river, in deepening and widening the channel thereof, above the Market street bridge to the Plank Road Mill (so-called), a distance of half a mile; and that the Engineer Department be, and it is hereby, authorized and directed to make surveys and estimates for such excavation and work at as early a date as practicable, and that the said excavation and work be commenced and completed as soon as practicable.

The CHAIRMAN. The Chair would ask the gentleman from Michigan where he wishes that amendment to come in.

Mr. BURTON. I ask unanimous consent that he have an opportunity to offer all his amendments together.

Mr. WEEKS. I offer them because I think they would naturally come together, and I will make a brief statement explanatory of the nature of the amendment.

Mr. BURTON. Just a word about these rivers, Mr. Chairman. I have rowed on the Clinton River frequently. It is a beautiful stream, but let me say of it, however, in the words of the poet:

Never such a devious stream
Save in fancy or in dream.

The other river presents the same question. There is a question involved in both of a good deal of importance. That is, when the navigable portion of a river does not go beyond the limits of a municipality, should the Government dredge along in front of all the wharves and all the lumber yards belonging to different citizens? In most cases that dredging is done at municipal expense, and it seems to me in both of these cases the Government has done its share. I ask that the amendment be voted down.

MESSAGE FROM THE PRESIDENT.

The committee informally rose; and the Speaker having taken the chair, a message in writing from the President of the United States was communicated to the House of Representatives, by Mr. PRUDEN, one of his secretaries.

RIVER AND HARBOR WORKS.

The committee resumed its session.

Mr. WEEKS. With the consent of the gentleman from Ohio, I should like to make a little explanation, first about the Clinton River. Heretofore appropriations for the improvement and deepening of the channel of the Clinton River have been limited to a point at what is known as the Market Street Bridge.

Beyond Market Street Bridge nothing whatever has been done by the Government, and yet four-fifths of all the shipping and freight that is carried up that stream goes above the Market Street Bridge. The navigation of the river stops at a distance of about half a mile above that bridge; and I am able to say that four-fifths of all the lumber and coal and other products taken up that stream in boats are first taken through a draw and into this part of Clinton River, and it is where the bulk of the boat and vessel business of the city is done on that river. It is an extension not to exceed half a mile in the deepening of the channel. And this, Mr. Chairman, is the case with the other stream precisely. The Government has gone to a certain point and there stopped, in the business region of the city, leaving vessels without sufficient water to go on and discharge their cargoes a distance not exceeding a hundred feet.

Now, I ask, Mr. Chairman, that these amendments be considered and passed. Observing the trend of matters in connection with the bill, I have but little confidence in success; but I desire to present the matter to the House now and not be compelled to see these meritorious and much-needed improvements postponed.

Now, I want to say one thing more, and it will only take a moment. To show you how the Engineer Department does business when they come to look at a river to see whether certain work is necessary, in looking over my correspondence, lying on my desk, I find here a letter from the engineer who was sent up to look over the channel of Clinton River. I had made an arrangement to take that engineer in a private yacht, and take him over the entire distance, so that he might have an opportunity to see what was necessary.

My yacht was steamed up, and when the engineer arrived he informed me that he had already secured a tug called the *Adele*, and was going on the tug. I went back to my office. He went down in the tug. Now that tug does business towing boats over the bar and lightering and helping them up the river, and the engineer refers in his report to the fact that the captain of that tug reported to him that there was plenty of water. So he returned to Detroit and reported to Colonel Lydecker, the engineer at that place. Of course the captain of the tug thought there was plenty of water. I have that letter here in my desk. It shows, as the gentleman from Ohio [Mr. SOUTHWARD] remarked a few minutes ago, when he said he knew as much about the harbor he spoke about as the engineer, that others knew the conditions of these rivers and harbors as well, and I make this statement, when I say that I know something about Clinton River and how these investigations are made. Now, I ask that these amendments may be made to the bill.

Mr. BURTON. Mr. Chairman, I ask for a vote on the amendments, and I trust they will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken; and the amendment was rejected.

Mr. BURTON. I now renew my request for unanimous consent—

The CHAIRMAN. There is another amendment.

Mr. PAYNE. I thought they were both acted on together.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

That out of the unexpended moneys heretofore appropriated for the improvement of Black River, Michigan, amounting to \$—, or such part

thereof as may be necessary, may be expended in deepening the channel of said river for a distance of 800 feet upstream beyond the Grand Trunk Railroad bridge, and that the Engineer Department be, and is hereby, instructed to make necessary surveys and estimates for such work.

Mr. BURTON. I ask for a vote on that, too. I understood that they were grouped together and voted on at one time. It is of the same kind, however.

The question was taken; and the amendment was rejected.

Mr. NEWLANDS. Mr. Chairman, I have the following amendment to offer to the bill.

The Clerk read as follows:

Amend, at the end of section 4, by adding:

"That the Secretary of War be directed to cause a survey to be made and an estimate submitted of the cost of dredging and otherwise improving the Colorado River between El Dorado Canyon and Rioville, Nev., with a view to the extension of navigation on said river to Rioville."

Mr. BURTON. Mr. Chairman, I make the point of order against that amendment that we have passed the provision for surveys.

The CHAIRMAN. The gentleman from Ohio makes the point of order that we have passed the provision for surveys, and this can only be taken up by unanimous consent to return to the paragraph.

Mr. NEWLANDS. Then I ask unanimous consent that we return to the paragraph, that I may have an opportunity of offering this amendment.

Mr. BURTON. I shall be compelled to refuse that.

I think it due to the gentleman that I should say that the location of this proposed survey is very remote from any location where there is an office of engineers having surveys in charge, and that it could only be done at considerable expense; and it is also of a different class from those for which we have provided in the bill.

Mr. NEWLANDS. Let me make an appeal to the gentleman. This amendment is taken from a resolution which has already passed the Senate and is now pending before this House. It makes no appropriation. It simply calls for an estimate. It covers only about 80 miles of the Colorado River, in which three sand bars exist, and there is a large mining population within reach of this river whose operations are shut off from October until May every year by reason of these sand bars.

Now, all we ask is for an estimate. I understand that it is not customary in the consideration of bills of this nature to adhere to mere matters of form; it is customary to allow a gentleman who has an amendment to offer to return to that portion of the bill to which it is germane. It strikes me that the gentleman from Ohio, at least, ought to let me have a vote on this matter.

Mr. BURTON. I want to say that we brought in this bill with the expectation that it would pass in a much shorter time; the time of the House has been consumed now beyond the limit, and for that reason I feel anxious to finish the bill.

Mr. NEWLANDS. I ask the gentleman to withdraw his point of order.

Mr. BURTON. I shall have to insist, Mr. Chairman. However glad I might be to include this survey, it is of a different class from those we have recognized and which are included in the bill. The committee have not, I think, included any to which attention was called after the 30th of April. This was introduced May 8. We have refused at least fifty claims which were urged strenuously. We thought it but just to the Department that it should not be burdened with a larger number. The number of forty-four is larger than we expected to include, and I shall have to insist upon the point of order.

Mr. NEWLANDS. I appeal, then, to the Chair. It strikes me that the amendment is germane to the last paragraph read.

The CHAIRMAN. If the gentleman from Ohio insists on his point of order, the Chair feels that he must sustain it. The paragraph has been passed, and it can only be recurred to by unanimous consent.

Mr. BURTON. Mr. Chairman, I now ask unanimous consent that the further reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the further reading of the bill be dispensed with. Is their objection? [After a pause.] The Chair hears none.

Mr. BURTON. Mr. Chairman, I move that the committee do now rise and report the bill, with amendment, to the House with the recommendation that as amended it do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BOUTELL of Illinois, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration House bill 11646, and that the committee had directed him to report the same back with an amendment, with the recommendation that as amended the bill do pass.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. BURTON, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE PRESIDENT.

The SPEAKER laid before the House the following message from the President of the United States; which was ordered to be printed:

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 15th instant (the Senate concurring), I return herewith the bill of the House numbered H. R. 5181, entitled "An act granting an increase of pension to John M. Smith."

WILLIAM MCKINLEY.

EXECUTIVE MANSION, May 17, 1900.

ACTS RELATING TO PENSIONS.

Mr. HEATWOLE. Mr. Speaker, I am directed by the Committee on Printing to present the following privileged report and ask its consideration.

The SPEAKER. The gentleman from Minnesota, chairman of the Committee on Printing, by direction of that committee, calls up House resolution No. 259, which the Clerk will read:

The Clerk read as follows:

Resolved, That 5,000 copies of the act amending the act of June 27, 1890, passed at the present session (Senate bill 1477), and 5,000 copies of the House report thereon made by the Committee on Invalid Pensions, be printed for the use of the House and be distributed to members through the folding room of the House.

With the following committee amendment:

In line 4 strike out the word "five" and insert in lieu thereof the word "ten."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution was agreed to.

On motion of Mr. HEATWOLE, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

CIVIL CODE FOR ALASKA.

Mr. WARNER. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of Senate bill 3419, and pending that motion I move that the time for general debate be limited to three hours, one half of the time to be controlled by the gentleman from Missouri, Mr. LLOYD, and the other half by myself; and pending that I ask that the first reading of the bill be dispensed with, and that all members speaking to the bill be allowed five days after final disposition to extend their remarks in the RECORD.

Mr. LLOYD. I hope that will be agreed to.

The SPEAKER. The gentleman from Illinois moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of Senate bill 3419, and pending that asks unanimous consent that general debate be limited to three hours, to be equally divided between the two sides, one half to be controlled by the gentleman from Illinois [Mr. WARNER] and one half to be controlled by the gentleman from Missouri [Mr. LLOYD]; and also pending that that the second reading of the bill be dispensed with, and that all persons talking upon the bill may have five days to print remarks from the date of the final disposition of the bill in the House. Is there objection?

Mr. WHEELER of Kentucky. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WHEELER of Kentucky. The Chair stated that unanimous consent is asked to dispense with the second reading of the bill. If that is agreed to, does it dispense with the reading of the bill under the five-minute rule?

The SPEAKER. Not at all.

Mr. PAYNE. Mr. Speaker, yesterday I objected to leave to print in the RECORD, but since I have learned that a number of gentlemen on both sides of the House have prepared some compositions on the political situation which they are anxious to have buried in the RECORD, and that they are matters that if they had time on general debate they would deliver in the House, hoping that there will be no violation of the spirit of the rule to print in the RECORD, and that the speeches of other individuals or matter edited by other individuals than the members who present them will not be printed, I will not object to this at this time.

The SPEAKER. Is there objection to the two requests which have been made? The Chair hears none; and it is so ordered. The question is now on the motion of the gentleman from Illinois, that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 3419) making further provision for a civil government for Alaska, and for other purposes.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union (Mr. JENKINS in the chair) and resumed the consideration of Senate bill 3419.

The CHAIRMAN. The second reading of this bill has been dispensed with. General debate is limited to three hours, to be equally divided between the two sides—one half to be controlled by the gentleman from Illinois [Mr. WARNER] and the other half by the gentleman from Missouri [Mr. LLOYD].

Mr. WARNER. Mr. Chairman, under an arrangement between the Committee on the Revision of the Laws and the Committee on Territories, the first twenty-eight sections of this bill are to be under the control of the Committee on Territories acting through its chairman, the gentleman from Massachusetts [Mr. KNOX], and the remainder of the bill is to be under control of the Committee on the Revision of the Laws.

The laws for the civil government of Alaska are provided for by the act of 1884. That act provided a civil government for Alaska. It provided that the laws of Oregon, so far as applicable and not in conflict with the general statutes of the United States, should be the laws of Alaska. Since that time the country has been entirely changed; its conditions have become different; the necessities of the country, etc., are not what they were; so that the laws of Oregon are in many cases entirely inapplicable and insufficient to meet the wants of the people of that Territory.

The code now proposes and embraces all the laws of Oregon that are still applicable to the necessities of the people of Alaska and such additional laws as have been deemed advisable by the committees of the House and of the Senate. There are some changes which will appear on the reading of the bill, but none are very material. So far as the civil government part of the bill is concerned there are more changes. Under the organic act, as it might be called—the act of 1884—the whole civil government of Alaska was vested in the governor, one district judge, one marshal, a clerk, and four commissioners. The code which has passed the Senate and is now submitted to the House provides for three district judges, three clerks, and three marshals, a surveyor-general, who shall be ex officio secretary of state, and as many commissioners as may be necessary, to be appointed by the judges of the Territory.

The district is divided into three divisions, the seats of the justices being specified in each division and the judges being required to hold one term of court each year in each one of these divisions, with a further provision that they may hold as many terms at other places as they may find necessary or may deem advisable.

The bill as it came from the Senate has been amended in many particulars, few of which are material. The majority of the amendments are simply to correct mistakes in the language, etc.

Mr. Chairman. I now yield five minutes to the gentleman from Massachusetts [Mr. MOODY].

Mr. MOODY of Massachusetts. Mr. Chairman, I avail myself of the freedom of debate, given by the order under which the committee is now acting, for the purpose of printing in the RECORD a letter addressed to me by one of my constituents, Mr. Henry W. Peabody, upon the subject of the bill for the encouragement of our merchant marine. I do not intend to be understood as necessarily agreeing in all respects with the sentiments expressed in that letter; but it is written by a gentleman who has given great attention to the subject and whose views upon that, as upon all other questions, are entitled to the respectful consideration of the country.

The letter is as follows:

MAY 1, 1900.

DEAR SIR: The second amendment of the subsidy bill, H. R. 64, by the Committee of Merchant Marine and Fisheries, is not less objectionable than the original bill. I doubt not that you are self-informed regarding it, but as I have from time to time expressed my opposition to it, I desire now to detail its most important features, and to summarize my objections, with the hope that you will concur, and that you will oppose the measure as now presented.

It is proposed to admit to registry only the few foreign-built steamships that were owned by American citizens to the extent of more than one-half on January 1, 1900; also any of the steam vessels then owned by the Government that may be bought by citizens and registered for the foreign trade. These two classes to avail of only ten years' subsidy at one-half the rate paid to American-built vessels.

Vessels under contract or in process of building abroad on January 1, 1900, for American citizens, may be registered, and receive subsidy for twenty years, ten years at half the rate payable to American-built vessels, and thereafter to be reduced 5 per cent each year, making the subsidy on the twentieth year 25 per cent of that payable to American-built vessels.

The conditions attaching to the registry of foreign-built vessels are that at time of registry they shall be owned entirely by American citizens, who shall agree under bond of \$10 per gross register ton to have built in the United States within ten years equal tonnage. The subsidy accruing on the foreign-built vessels is to be retained by the Government along with the bond until the new vessels are built.

Existing vessels of American build and ownership may avail of subsidy upon the owners contracting, upon bond of \$10 per ton register of tonnage to be built, for the building in the United States of one-quarter as much tonnage within five years after the contract.

The only open privilege is the right to purchase vessels from American builders to be built within ten years, which, like the preceding class, are available to subsidy for twenty years if they do not engage in coastwise business.

All the vessels under subsidy must be of class A1 at Lloyd's. Other vessels may be built and substituted for any vessel under subsidy lost, running off class, or for other reason withdrawn, giving the contracting owner control of a subsidy for the full term. Vessels may be sold or transferred, carrying all their privileges to other American citizens, but can not be sold to go under foreign flag without written permit from the Secretary of the Treasury.

Subsidy is payable on voyages between a port of the United States and a foreign port, according to the mileage navigated by the usual direct route, and the bill requires that on outward voyages at least 50 per cent of the regular cargo space is filled with cargo, or the subsidy is proportionately reduced.

The rate of general subsidy is, when not exceeding 1,500 miles for each voyage, for each 100 miles, 1 cent per gross register ton; for the excess of 1,500 miles the rate for each 100 miles is 1 cent per gross ton.

A second subsidy is provided for steamships of 11 knots to upward of 21 knots without the requirement of cargo on outward voyages, ranging from 0.4 cent per ton for each 100 miles to 11-knot vessels to 2.3 cents per ton for 21 knots.

The speed is determined by the maximum speed developed in a test of six hours, and not by the service rendered.

The amount of all subsidies is limited in any one year to \$9,000,000, and the Senate amendment, S. 727, provides that not more than \$2,000,000 shall be paid to vessels of speed 20 or 21 knots, which will probably cover the earnings of subsidy for speed by the mail and passenger steamships of the International Steamship Company.

Subsidized vessels are subject to use by the Government with fair compensation, and are to carry mails free of charge.

Vessels built for carriage of mineral oils in bulk are excluded from subsidy. Congress may at any time amend or repeal this act, subject to the obligations of all existing contracts.

All acts inconsistent with this act are repealed.

A distinct feature of the bill, which is commendable and ought not to be made dependent upon the passage of the above outlined shipbuilders' measure, is that which provides that vessels engaged in the deep-sea fisheries for more than three months in any year shall receive a bounty of \$2 per ton register for each month of such service, and the American citizens of the crew shall each receive a bounty of \$1 per month of such service.

This worthy class of our people should be thus encouraged if the ship subsidy does not pass, but these sections should not induce the support of other measures that are not in the interests of the American people.

The bill under consideration purports to promote the commerce and increase the foreign trade of the United States, and to provide for the national defense, but it is easily seen that the object is not to increase our merchant marine quickly and materially, but to induce orders for vessels to be built in the United States.

Great stress is made that at time of registry the entire vessel shall be owned by American citizens, but there is no requisition that thereafter even a majority of ownership shall be maintained; and it is admitted by the committee of Congress that there is no barrier to prevent these vessels under the American flag, and with subsidy contract secured for ten or twenty years, being owned in great part by aliens.

This is section 23: "The word 'person' or 'persons,' or 'citizen' or 'citizens,' where used in this act shall be deemed to include 'corporations,' 'associations' and 'partnerships' existing under or authorized by the laws of either the United States, of any State, or any Territory, or of any foreign country, unless otherwise limited by this act."

Under some of our State laws, corporations may be organized without any requirement of American citizenship of shareholders, or any local obligation except payment of prescribed dues.

I regard this loophole or gateway as a most serious menace to the regaining of our commerce. It is the boast of some foreign steamship companies that if the bill passes, they are prepared to secure its benefits. Better have no subsidy than to establish it as a club for our competitors to compete the harder for our foreign trade.

The cream of the subsidy is designed to fall to those vessels of the International Steamship Company in their American line that are already under the American flag, and others which they are reputed to have under construction in this country, as well as abroad.

The foreign-built vessels which it is proposed to admit to registry are owned by five or six wealthy firms or corporations in New York City, said to aggregate 318,000 tons register, but about one-third of this tonnage has very recently been absorbed by the great English Leyland Company.

Senator FRYE says that the committee is of the opinion that "as a maximum not to exceed 320,000 tons of foreign-built steamships will apply for registry under this bill."

He also states that "it requires at the present time about 4,200,000 gross tons of shipping steadily employed to conduct our ocean transportation," a service for which we are paying to foreigners, doing 92 per cent of our commerce, approximately \$160,000,000 annually.

We have 4,000,000 tons of enrolled and licensed vessels, engaged exclusively in coastwise and inland commerce, and without competition of foreigners in the building or the freighting.

But our registered tonnage for the foreign trade, including many vessels in regular lines between our coast ports ranging from 6 tons to 11,000 tons, amounts to 848,000 tons, of which not over one-half are suitable and available for over-ocean commerce.

Sailing vessels for long voyages are still wanted, but of tonnage 1,500 to 2,500 or more tons, of steel construction; and tramp steamships of steel, of 3,000 to 5,000 or more tons, are the latest type of the English build and the most profitable for the world's commerce; of these we have very few.

The Commissioner of Navigation estimates the capacity of our shipyards for merchant vessels at 100,000 tons per annum, which he thinks will be realized for them under this bill.

I may here state my greatest objection to the bill. It is class legislation, bestowing a privilege upon a few millionaires who invested in foreign-built steamships under the foreign flag because of much lower cost than could be procured in this country, or conducted under the American flag, and it seeks less to reestablish our merchant marine than to enforce business for the already occupied shipyard.

It is not in any sense the fulfillment of the clear-cut recommendations of the Administration in messages to Congress in December, 1898 and 1899; that to recreate our merchant marine, American registry be granted for a short term of years to foreign-built vessels of American ownership, provided the owners become bound to have built in this country a like tonnage, and to stimulate the growth of our almost dead industry of vessel owning by providing mileage bounties for American vessels while on voyage between foreign ports and ports of the United States.

The interests of our shipbuilders were not overlooked; they were to have the building of as much tonnage as the people should purchase abroad under the proposed privilege.

No privilege is accorded to the people by the bill for even one year to procure foreign-built vessels for registry which might enable them to immediately equip for some of the world's commerce along with our own, of which only 8 per cent is now performed by American vessels.

It is well for those to inform themselves, who too readily accept the assertions of the interested parties that the bill is the Administration measure, when it is so unlike the plan recommended by the Secretary of the Treasury as part of the President's two latest annual messages to Congress.

The Frye bill is represented by the promoters to be (and it is broadly stated by most of the Republican press that it is) a grand bill, the only one that will restore us to a second place on the ocean and the only one that can pass.

Trade organizations all over the country have been urged to adopt resolutions in favor of this bill, and some have done so without knowing much regarding it. Other important ones have not acted upon it, although so stated by the press.

The Boston Chamber of Commerce and Merchants' Association of Boston, as I am officially informed, have not passed any resolutions regarding this bill.

The New York Chamber of Commerce referred the resolutions for consideration of the bill, submitted at a previous meeting by myself, to a subcommittee, one of which was a member of the committee who are managing the bill, and the resolutions submitted by them on January 23, 1900, were to "approve the objects sought to be accomplished by the bill, without expressing an opinion on its details."

They hoped for a strong vote, as usual, on their committee's report, but, as the New York Post says: "The vote seemed to be almost even; there was, however, the president decided, an advantage in favor of the bill; the report was thereupon adopted."

A member of the promoting committee was chairman of the subcommittee of the New York Board of Trade and Transportation which reported resolutions in favor of the bill, which were adopted.

The Boston Herald says of the National Board of Trade, Washington, on January 25: "The minority report opposing the Frye-Payne bill, and urging Congress to enact measures to restore our place on the ocean, was then presented. Mr. Charles S. Hamlin, of Boston, supported it, and it was hotly denounced by the other side." "Mr. Peabody moved to amend by adding, 'According to the recommendations of Secretary Gage in his last report.'" "The amendment was defeated by a majority of about 2 to 1. Then the majority resolution (in favor of the bill) was adopted, and those who had claimed that the President and the Secretary of the Treasury approved the bill have gone on record as opposing their expressed views."

I cite these cases to show the fictitious value of the votes, and much matter furnished by the committee to the press, to appear as editorial, indicates an unreal advocacy.

Mr. Alexander R. Smith, a member of the committee, traveled the country over as the paid representative of the promoters to secure endorsements of the bill by political and commercial bodies. With the idea plausibly presented that this was a bill to increase the exports of the country and develop the American merchant marine, many of these bodies indorsed it. They did this without knowing what the bill really was, and with nothing further in view than the object expressed in its preamble. To continue this work, Mr. A. R. Smith has moved to Washington, and has been installed in the United States Census Office as a statistical expert to prepare shipping data. He brought his former stenographer and typewriter with him, and his desk is at No. 700, Fourteenth street, in the offices occupied by Mr. HANNA's campaign committee.

Now it is sought to get declarations in favor, by the Republican conventions of the several States, and doubtless by the national convention, but the approval of a platform including this plank with many others signifies no real approval of this bill; e. g., the national convention of 1896 declared for discriminating duty which has since been allowed to be impracticable, and has not been advanced.

The cause of the indifference of business men is largely lack of information, for so few are now identified with vessel owning that it seems not to concern them. Many know, too, how strongly the foreigners are entrenched in all our ports, and with fixed routes of commerce therefrom render it impossible for Americans to regain the field unless they can have vessels.

American firms who do cover routes of trade are obliged to rely upon the vessels of foreigners, chartering at rates profitable to the owners.

The superabundance in great degree of sail by steam has established that modern tramp steamships of 9 or 10 knots find ready charter for full capacity in all parts of the world. Requiring them only for an outward cargo, freighters are usually obliged to charter for a period of six months, and to leave the vessel then at the port where the voyage began, sometimes a long voyage in ballast being necessary.

Even the foreigners who maintain loading lines in our ports are often obliged to charter other boats than their own, and this establishes a ready field for business, should the people be allowed to register foreign built vessels, and duplicate the tonnage in this country.

The shipowner promoters of the Frye bill are mostly interested in the Atlantic trade. We want also vessels suitable and available to go to any part of the world, and to have enough of them promptly to secure our lost footing.

The promoters are satisfied to monopolize the new privileges, and the proposed subsidy of nine millions is ample for them.

Not only is it seen that the object is to admit as few foreign-built vessels as possible, without ignoring that important recommendation of the Administration, but that the stimulus of the subsidy is to be utilized to induce only such orders for the shipbuilders as they may have facilities to undertake along with the urgent orders for the domestic trade and the Government.

It is possible that they fear that the admission of one or two million tons of soon ready vessels of foreign build would overtax their ability to furnish in ten years other one or two million tons, and rival building yards might be established; certainly they prefer to compel any enterprising capital to come to them as a monopoly and pay 25 to 35 per cent more for vessels than they could be procured for abroad, and wait till they get them.

We want not 200,000 or 300,000 tons, but 2,000,000, if the people will buy so many; then in the course of five or ten years we may have four and one-half million tons, just enough to carry our own exports and imports, and to rank us second only to England's tonnage, now 14,000,000 tons.

In 1898, on September 30, there were building in Great Britain, exclusive of war ships, 519 steel vessels, of tonnage 1,352,547. In the United States there were built in the year ending June 30, 1899, 2 sailers, of steel, 6,207 tons, and 19 propeller ocean steamers, 43,871 tons. In 1898 the total steam and sail registered tonnage of the United States built of iron and steel was 119 vessels, aggregating 245,000 tons.

Little is known of the law of 1789, which was "for registering and clearing vessels, regulating the coasting trade," etc., providing that any vessel built within the United States and wholly belonging to a citizen or citizens thereof, or not built within the said States, but on the 16th day of May, 1789, belonging and thereafter continuing to belong wholly to a citizen or citizens thereof, and the master a citizen of the United States, and no other, may be registered and be deemed a vessel of the United States.

On February 18, 1793, the enrollment of vessels over 20 tons and the license of vessels under 20 tons was established for vessels employed in the coasting trade or fisheries along with those registered in accordance with the law of 1789, and none others.

Tacitly these laws require that later American vessels shall be of American build, but it does not say so, the prime object being to establish maritime tonnage.

In those early days ships and barks were of 150 to 300 tons register, and building yards were in many of our seaports, and in our forests the best of timber; we could compete with the world in building.

During the civil war some 800,000 tons were sold to foreigners, and our registered tonnage of 1861—2,642,628—fell off to 1,492,926 in 1866. The merchants who had owned the fleets of clippers in the San Francisco trade took up the building of the transcontinental railways and did not renew their interests in vessels.

Shortly after the English building of iron proved superior to ours of wood and few vessels were built. The English increased the size of iron sailing ships and improved the steam vessels, so economizing the running that they can now profitably compete with sailing vessels.

Our wooden shipbuilding for the foreign trade practically ceased fifteen to twenty years ago, and only in the very recent years could the new builders of steel produce vessels even at much higher prices than the British.

They have been full of orders for coastwise vessels, and from the Government at profitable prices, and unable to take contracts at competitive prices.

Thus the law of 1789 protected shipbuilders from competition of foreigners in the business which amounted to nothing, while it prevented the procurement of foreign-built vessels for American registry, and left the building and improvement of vessels and the occupation of our own channels of commerce and alliance with our great trunk railroads to the freer handed and alert English and German builders and investors, who carry now 92 per cent of our exports and imports.

Now our routes of commerce are covered mostly by foreigners; the advantage of possession is great. We have to-day no weapons for opposition if we would regain our former second place on the seas.

The people realize at last what some have long known, that we are out of the race, but are not half enough sensible of the importance of our merchant marine to consider the causes of the almost extinction of it. Too many are content to leave the reins in the hands of those who have taken them up, professing to guide us by the only road to a new success; but in fact, as may be plainly seen, if we will see, conducted by a small group of millionaire builders and owners for their sole advantage and for paltry results that would continue us an inferior maritime nation.

One member of the promoters' committee said in my hearing in a public meeting two months ago, "We are only concerned in taking care of the fellows who have already invested in foreign ships;" "the shipbuilders would never consent to carrying on that principle and opening the door to the present investor in foreign ships."

He voiced the real spirit of his committee, but not as it is usually shown out. I submit that to deny privilege to the American people, and for a mere sop of 200,000 or 300,000 tons of exception, in a few hands, recommit our maritime destiny for thirty years to the same law under which the vessel-owning industry has almost died is un-American and unwise.

Whether the law of 1789 was designed to develop the merchant marine, or to develop and restrict the shipbuilders' craft, we should now consider what the nation's interest requires; the shipbuilders of wood may build for the protected coastwise trade, but nevermore for the ocean commerce.

Our shipbuilders stand firmly with their multimillion dollars' capital and are full of business without the foreign trade. Shall we longer sacrifice our maritime growth to the notion of protection of a law one hundred and ten years old, or shall we inculcate the spirit of patriotism and national pride, and resolve that a compromise must be made, not with our shipbuilders, but with the principles of the law of 1789?

Then all vessels of foreign build belonging to Americans were granted register. Not much expansion of that privilege is now required to allow just what the Administration has recommended—"the admission for a short term of years of foreign-built ships, along with obligations to have similar tonnage built in the United States."

These are the principles of the law of 1892, by which the steamships *New York* and *Paris* became American, and would realize under the proposed subsidy bill the same benefits as the American-built *St. Paul* and *St. Louis*.

The owners of these vessels (their president, Mr. Griscom, being chairman of the promoters) are the ruling spirits in the committee of the Frye-Payne bill, which not only gives the public no privilege as to foreign-built vessels, but allows but 25 to 43 per cent as much subsidy to the few which might be admitted as to those which the builders hope to secure orders for.

It was my privilege to secure a hearing before the committees of the House and the Senate on January 16, and to state my objections, and, at request of Senator FRYE, I submitted the following day the principal amendments which I urged, namely:

1. That the date for admission of foreign-built vessels, or vessels in process of construction owned by Americans, should be extended to one year after the passage of the bill.

2. That whatever percentage of American ownership shall be determined must exist not only at the time of registry, but continuously while bearing our flag and earning our subsidy.

3. That vessels so admitted to registry shall be considered American vessels equally with those required to be built in this country, as to receiving equal subsidy, limited, of course, to foreign commerce.

4. That American vessels built under this law shall not be excluded from commerce between the Atlantic and the Pacific ports of the United States.

None of these amendments have since been adopted, but, on the contrary, the intent has been made more plain as to the facilities for the ownership of any American registered vessels becoming of foreign ownership and management.

This sentence is published by another member of the committee, Mr. Theodore C. Search, president of the National Associated Manufacturers, in his address to them on April 24, extolling this bill: "Corporations formed abroad, controlled by American capital, may also participate." If there is not both enterprise and capital in the United States to have the vessels under our flag American property and patriotism can not be enlisted to demand and avail of the privilege of a bill that will quickly re-create our merchant marine, we had better refrain from new legislation.

When the Government needed ships it procured them abroad at once, and these makeshift vessels are a poor sop to offer our people for registry for denial of privilege to buy the latest type.

England did not wait for horses and mules to be reared at home when in need for the war in Africa, but bought from the ready stock of other countries.

We are not less in emergency now as to our merchant marine. Apparently two years may lapse since the recommendations of the President in December, 1898, before any legislation will be effected.

It is precious time lost. Our competitors have strengthened their hold and their equipment, and are waiting to avail of our folly if we open a door for them to take the benefit of our subsidy also.

The statement is often made that the chief opponents of the Frye-Payne subsidy bill are the foreign steamship lines and owners of foreign ships, and that these lines maintain a lobby in Washington to oppose the bill. During several visits to Washington, in which I have studied the situation from every standpoint affecting legislation, I have failed utterly to find a trace of such influence or such lobby.

I am absolutely confident that there is in Washington no organized movement by the foreign steamship lines to prevent the passage of this bill. The

only lobby that I have discovered in connection with this bill is the lobby of the interests promoting it. The International Navigation Company, through its president, Mr. Griscom, and through its leading counsel, ex-Senator Edmunds, is the head of this influence. The Messrs. Clyde, of the Clyde Line; Francis B. Thurber, of the New York Export Association, and others, the mention of whose names would make this paper too long, have been here frequently engaged in this advocacy.

In the hearings on the bill in House and Senate, practically all the time was taken up by advocates of the bill, members of the committee and their attorney. Although the hearings were at least ostensibly open to everybody, no representative of the foreign lines appeared to raise a voice against the bill, and I am told that none asked to appear.

Undue stress has been laid as to the increased cost of running vessels under the American flag, as if that was the principal occasion for subsidy.

There is need of increased privileges for, and of stimulus of subsidy to induce American citizens to take up an obsolete industry.

Better to reduce the term of subsidy to ten years to any one vessel, or to eliminate the extra subsidy for speed (which it is admitted would largely accrue to the four vessels already under our flag), than to abandon the effort to re-create our merchant marine.

It is a national exigency, although it has been apparently resolved into a party measure. I claim to be not less loyal to my party, as I urgently oppose the Frye-Payne bill, in that I believe in and earnestly advocate the plan which has been recommended by the Administration.

Yours, respectfully,

HENRY W. PEABODY.

Hon. WILLIAM H. MOODY,
House of Representatives, Washington, D. C.

Mr. LLOYD. I yield thirty minutes to the gentleman from Illinois [Mr. WILLIAM E. WILLIAMS].

Mr. WILLIAM E. WILLIAMS. Mr. Chairman and gentlemen, the portion of the bill to which I desire to direct my remarks is that portion relative to the civil government of Alaska. I can not concur with the gentlemen who favor that portion of the bill. It is true there was no division on the part of the committee which has had charge of this bill. There was no minority report, because we recognized the fact that the people of Alaska are entitled to some kind of a government; and perhaps at this late day in the session the bill as reported furnishes the only government obtainable at this time. I believe, Mr. Chairman, that the citizens of Alaska, the people who reside there, are capable of self-government; and I believe they ought to have a Territorial form of government, with representation upon the floor of this House.

Right here I want to call the attention of gentlemen on the other side of the Chamber to a plank in the Republican platform of 1896 and ask them why it is that at this length of time after the adoption of that platform and the election which followed no provision has been made or attempt made to give the people of Alaska the representation which was pledged and promised to them by the Republican platform of 1896. I read from that platform as follows:

We believe the citizens of Alaska should have representation in the Congress of the United States, to the end that needful legislation may be intelligently enacted.

And, Mr. Chairman, I believe and I am quite sure that the minority members of the committee believe that the bill here providing for a civil government for Alaska should have provided for representation in the National Congress, to the end that needful legislation might be enacted. I know of no reason which can be suggested to the contrary, except that these people are scattered and live in communities at a great distance from each other. I know of no other reason why they may not maintain a Territorial legislature and enact their own laws. Members of the Committee upon Revision of the Laws have had difficulty in ascertaining the character of legislation essential for those people.

There has been no representation here from that district except perhaps those who came here with possibly other purposes and other objects in view, who may have personal ends to accomplish, and who may give us in most particulars the needed information, but who in other particulars would perhaps only give such information as would be to the best interests and purposes which they represent. I would not question the integrity of the gentlemen who have been here and who have kindly assisted the committee in this regard, but I do say that the Congress of the United States, so far distant from Alaska, can not adequately inform itself and ascertain what legislation is needed for the best welfare of that community and that country.

Now, the reason that gentlemen have urged in committee why they should not have a Territorial legislature is this: They say that the population is nomadic, that it is uncertain, that it is located in places where the attractions of new discoveries lure men, and that it is a shifting, changing population from day to day; but we do know, gentlemen, that in southeastern Alaska, in the region of Sitka and Juneau and Skagway, there are permanent residents in considerable numbers who ought to be represented in a Territorial legislature and upon the floor of this House. We do know that at Circle City and at Eagle City and at St. Michael and at Cape Nome there are permanent residents who are more capable of legislating for themselves than we are of legislating for them. A Territorial legislature with representatives from these different permanent settlements could enact needful legislation and would know from time to time what is necessary, while

we, removed at this great distance, can not inform ourselves; and meeting as infrequently as we meet, can not provide the legislation which may become necessary in a fortnight by reason of changing conditions between the sessions of Congress.

There is another provision in this bill which I can not altogether approve of or concur in, and that is the appointment of the numerous officials with the very high salaries which are provided. It seems to me, Mr. Chairman, that it is simply to make Presidential appointments and places for pegs, because the pegs are ample in number and the places are sought after. I want to call the attention of the House briefly to some of the positions and the enormous salaries provided for by this bill. Understand that no Territorial legislature and no representation in Congress is provided for those people. A kind of judiciary is created as the only system of government given to those people. There is a governor to be appointed by the President, with a salary of \$5,000 per year, with perquisites, subsistence and traveling expenses, and other incidental expenses, including one item of \$500.

While the governor is perhaps an essential official there, and must be, in the nature of things, appointed by the President until the Territory shall become a State, yet that governor is a mere perfunctory officer, virtually shorn of power, and has but very little duty to perform. I believe he has the appointment of notaries public, and that is about the only official act that he is called upon to perform. He is required to make a report annually, and for the appointment of notaries public and the report which he makes annually to the President he receives this salary of \$5,000.

But this bill provides a kind of judiciary for the government of the Territory which is also objectionable. It provides for the appointment by the President of three district judges, one to be located at Juneau, one at Eagle City, and one at Nome, where it is said that miners have congregated by hundreds and thousands, and that there is a need of some kind of a judiciary, which I presume is true. These judges shall receive, in addition to traveling and subsistence expenses when away from home, the sum of \$5,000 each. The President shall appoint three marshals, at a salary of \$3,500 each, with travel and subsistence expenses. The President shall appoint three district attorneys, one for each of the judicial districts, to be apportioned by the judges themselves, at a salary of \$2,500. The bill also provides for appointment by the President of a surveyor-general, who shall be ex officio secretary of the district, with a salary of \$4,000.

Now, these three judges are authorized by the bill to appoint commissioners at their pleasure; to put a commissioner here or a commissioner there, at such places as their judgment may direct, without any limitation in this bill. They may appoint an innumerable host of commissioners, at a salary of \$3,000 each, who shall be probate judges, recorders, and ex officio justices of the peace. The judges shall appoint three clerks, at a salary of \$3,500 each. The marshals shall appoint deputy marshals also at the salary of \$3,000 each, and are only limited in the number of deputies they may appoint by the discretion of the Attorney-General, with whom they shall consult upon that question.

It is true that the salaries of the commissioners and deputy marshals are paid out of the fees which their offices earn, but the money comes indirectly out of the Treasury of the United States, and directly from the people, for the reason that these fees otherwise would be turned into the Treasury, and had as well, if earned, be paid into the Treasury, in the first instance paid out of the Treasury to these people, as to be reserved by them in the manner provided by this bill.

The district attorney shall appoint assistant attorneys, and is only limited in the number which he shall appoint by the discretion of the Attorney-General, and these assistants are to receive such salaries as may be provided by the Attorney-General. Now, these are some of the features of the bill to which I object, and which it seems to me ought to be amended and improved upon by this committee.

There are a few questions relative to the general government of the Territories of the United States which I would be pleased to discuss. Not only do I say that our Republican friends in the national convention of 1896 pledged more to the people of Alaska, when they were not in as great need as now, than this bill provides, but that same convention made provision for the admission of the other Territories of the United States as States of this Union. Let me read this provision of the platform:

We favor the admission of the remaining Territories at the earliest practicable date, having due regard for the interest of the people of the Territories and of the United States, and all the Federal officers appointed for the Territories should be selected from bona fide residents thereof and the right of self-government should be guarded as far as practicable.

Now, Mr. Chairman, I not only call attention to the fact that our friends who represent the party that made these pledges have not attempted to redeem their pledges made to the people of Alaska, but they have violated the pledge which they made as well

to the citizens and property owners in the Territories of Arizona, New Mexico, and Oklahoma, which have been knocking at the doors of Congress not only all this session, but for several sessions past, for admission as States into the common Union. I know, and gentlemen upon the committee will bear me out, that no action has been taken, but action has been avoided and defeated in the Committee on Territories upon bills to admit these Territories as States of the Union.

I ask gentlemen why it is that you have failed to redeem your platform pledges to the people of Alaska and why it is that you have failed to redeem your pledges to the citizens of Arizona, New Mexico, and Oklahoma, to whom you pledged admission to the Union in your platform of 1896? I will not tarry here to discuss the question further as to these Territories and the delay in admitting them to statehood, only to say that perhaps the reason is that their location is such that you anticipate the possibility of their being Democratic and adding to the Democratic electoral vote in case they should become States. I know of no other reason why you have not redeemed your promises made to the people of those Territories.

Now, incidentally, Mr. Chairman, I want to say some things relative to the government of our new possessions, which I believe pertinent to the inquiry here, because the whole question of Territorial government and the government of our possessions at home and abroad is opened up by the rules regulating the discussion of this bill. I will not discuss the Porto Rican question here. Gentlemen upon this floor have amply discussed that already. I had my say upon that question when it was under consideration, and I only want to say this: You brought in here an iniquitous measure providing for tariff duties upon the products of Porto Rico, as if Porto Rico was not a portion of the United States. According to you, it belongs to us for some purposes and is foreign to us for other purposes; but that I will not discuss here.

I desire, Mr. Chairman—and I believe it is the first time in the debate that it has been brought to the attention of gentlemen upon the floor—to refer incidentally to the government in Cuba, and in that connection I want to read the Republican platform of 1896 relative to Cuba and ask you gentlemen if you have dealt fairly with those people, if you have redeemed your platform promises in respect to Cuba; and if not, why not? Listen to the reading of your platform, gentlemen:

From the hour of achieving their own independence the people of the United States have regarded with sympathy the struggles of other American people to free themselves from European domination. We watch with deep and abiding interest the heroic battle of the Cuban patriots against cruelty and oppression, and our best hopes go out for the full success of their determined contest for liberty.

The Government of Spain having lost control of Cuba, and being unable to protect the property or lives of resident American citizens or to comply with its treaty obligations, we believe that the Government of the United States should actively use its influence and good offices to restore peace and give independence to the island.

What have you done to redeem that pledge? Goaded on by the Democratic minority in this House, you were forced to declare war against Spain, as the people supposed when they gave it their support, for the freedom of the people of the island of Cuba. A glorious victory was won, decisive battles were fought, and a treaty of peace signed. Have you redeemed your pledge and promise? Tell me why is it that Cuba is festering under the corruption lately developed in the officials appointed by this Government, equaling the looting conducted by the officials sent over from Spain to govern them prior to the treaty of peace?

Mr. CLARK of Missouri. Under a carpetbag government. Mr. WILLIAM E. WILLIAMS. Yes, carpetbag government; and that is what the Democratic party opposes. We oppose sending these men to govern Alaska, to govern the people of Cuba. You say, my friends, in your platform declaration, that these people are entitled to their independence, and yet you refuse and deny it to them. You send carpetbaggers there. You send postal officials there. For what purpose? To govern these people against their consent and against their will. You have sent Army officials there and given them double salaries. In addition to the regular salaries provided by the laws of this country, and without authority of Congress, they have put into their pockets an equal amount received from the revenues of Cuba, paid by the people of that island.

Your officials go there to conduct the post-office department, and to-day not less than half a dozen of them are under arrest charged with spoliation, with looting, with stealing, with theft, as bad as was ever perpetrated by the officials sent there by Spain to govern these people. Answer me, gentlemen. Why is it that you have not redeemed your platform pledges? The promise you gave to those people was that they should be free; that they were entitled to their independence. Why do you hold them down as a subject people; why enforce military occupation; why maintain a carpetbag government there? Why do you send men to

rob and prey upon them and deny them the independence which you proclaimed in your platform of 1896?

But gentlemen may ask, what has this to do with the Alaskan bill? Why, this, gentlemen: It is the system of government of which we complain. You are sending carpetbaggers to Alaska. They are not residents there. You appoint whomsoever the President sees fit to go there and govern these people. You make general rules and regulations for the men who are sent there in that capacity; and right here let me call your attention to the latitude given the director-general of Cuba, and you can understand why it is that there is such room for the robbery that is perpetrated in that country. A sort of carte blanche is given, a wholesale declaration of absolute power placed in the director-general of posts. I will not stop here to read it, but will, under the rules provided, print it with my speech in the RECORD.

In that connection I want to call attention of gentlemen to an article which appeared in the Washington Post day before yesterday. It ought to make Americans blush with shame to read in the press statements like the following:

CUBAN SCANDALS—HONEYCOMBED WITH FRAUD—FURTHER DISCLOSURES OF ROTTENNESS IN THE CUBAN POSTAL SYSTEM—POSTMASTER THOMPSON, OF HABANA, UNDER DETENTION, AND AS WHOLESALE ARRESTS ARE IMPENDING, A FORT WILL BE PREPARED FOR PRISONERS.

HABANA, May 14, 1900.

The extent of the postal frauds is far greater than what was originally expected. Besides taking in the postal department, the frauds seem to include the local office at Habana and various other offices throughout the island, and also to have extended to outside points which have been used for the sale of some of the old issue of stamps that were ordered destroyed.

Messrs. Reeves and Reynolds, the auditors of the postal department, are still under arrest at their own rooms, in charge of detectives. Special quarters, will, however, be prepared in some fort, where all the prisoners connected with the frauds will be taken as soon as arrested.

To-day's arrests and the suspension of Mr. Thompson did not take place until after dark, and consequently these new features of the case are not generally known throughout the city this evening; but there is a perceptible excitement at the post-office, where no one knows who may be the next to be singled out.

Every additional revelation increases the amazement of the Americans here. The Cubans seem to be immensely pleased. They declare that the Americans can no longer boast in Cuba of their superior honesty when in Government employ.

Aye, gentlemen, there is a history to this thing, and these developments are but the legitimate outgrowth of the system of government you are maintaining over a people whom you three years ago declared should have their independence. A military occupation! Men sent down there with unlimited authority to loot and prey upon the resources of these people! Why, gentlemen, why is it? Answer me. Why have you not redeemed your platform promises and given Cuba independence which you promised them in 1896? [Applause on the Democratic side.]

Mr. KLEBERG. They are teaching them good government. [Laughter.]

Mr. WILLIAM E. WILLIAMS. My friend says you are teaching them good government. The examples you are setting are sufficient to condemn the system of government proposed for our possessions anywhere—Alaska, Porto Rico, Cuba, or the Philippine Islands. Now, Mr. Chairman, I desire—and I do no wish to tire the patience of the House, but in this connection I want to say something about the Philippine question.

Why, I remember in the last session there was not a week that you were not goaded from day to day; that you were not asked, "What do you propose to do with the Philippines?" I ask you the question now, What do you propose to do with them? I imagine I hear you answer that you propose to prosecute the war there until they lay down their arms. Well, I have heard no serious objection to that proposition. But what do you then propose to do with the Philippines? I tremble when I contemplate the possible disclosures yet to come. If robbery and theft can be conducted in such wholesale manner in Cuba, at our very door, what may we expect when we hear the news and read the figures of far-away Philippine Islands?

What do you know, gentlemen, about the revenues of the Philippines? What do you know about the theft and robbery there? Oh, you say to me, we have no right to presume these things; we have no right to presume that men are dishonest. Aye, we have; it has been the history of the world from the days of the Roman Empire to the present hour. Where men have been sent abroad to maintain military occupation and to govern a subject people, they have been robbers, and the American citizens have proven in the case of Cuba to be no exception to that rule.

I say I have a right to presume that in the Philippine Islands theft and robbery equal to that in Cuba is to-day being enacted, and you and I know nothing about it. It may be concealed until after the Presidential election, but it will be disclosed by and by. Aye, gentlemen, you can not govern people in that way and have an honest system of government.

But that is not the worst proposition that confronts Americans. It is an innovation, a violation of the spirit and letter of the Constitution, to undertake to govern people anywhere without their

consent. By what authority are we occupying the Philippine Islands? Oh, you tell us, by treaty with Spain. Spain for three hundred years maintained an army in these islands, and yet only conquered a small portion of the island of Luzon. Spain was in the actual possession of the city of Manila, but the insurgents were battering at her very gates all the time, waging war for their independence.

We took an option upon that war; we bought a lawsuit, as it were, and with it we only got such peaceable possession as Spain enjoyed at the time of the treaty of peace, and have maintained a war ever since at an enormous expenditure of men and money; and let me say right here, gentlemen, after you have maintained an army of 70,000 men during the best fighting season of the entire year, you are no nearer to victory than you were the day the treaty of peace was signed.

A few weeks ago many of us attended the burial of one of our best soldiers, the flower of the American Army. General Lawton, than whom no braver man ever lived, after fighting for months beneath the flag of his country to maintain it where it did not belong, was shot down in an engagement within 12 miles of Manila. Now, I would not decry the American Army. I hope for their success wherever they may go, right or wrong. But, gentlemen, it is time to inquire, What are we fighting for?

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. LLOYD. I yield to the gentleman twenty minutes more. Mr. WILLIAM E. WILLIAMS. Mr. Chairman, we do not say surrender; that is not the proposition of the Democratic party; but we do say give these people that which they had a right to expect when they became our allies and aided us in the war with Spain. As I understand, Aguinaldo came into the ranks of the American Army and cooperated with us in the battles before Manila upon an implied if not an express assurance that he and his people should have their independence.

And I believe, gentlemen, that if we would to-day say to the people of the Philippine Islands, if we would say to Aguinaldo and his followers, "We do not seek to permanently annex you as a part of the United States, but we will extend to you now the blessings of liberty and self-government, reserving only a coaling or naval station," their arms would be laid down and the soldier boys who to-day are fighting beneath the burning sun of that tropical clime, succumbing to thirst and hunger and disease, would come home and join their families, and the lives of many thousands of our bravest boys would be saved.

Seventy thousand men maintained at an expense of over \$100,000,000 annually—for what purpose? For the purpose of subjugating an alien people; for the purpose of compelling them to lay down their arms and submit to the jurisdiction and authority of the United States, in opposition to the principles and the very spirit of our institutions and of our Constitution and laws.

Mr. Chairman, I will not discuss this feature of the case further than to say that what I most fear and most dread is the effect of such conflict upon the people of our own country and on the institutions of our own land. I want to read—and I have only read Republican literature here to-day—I want to read what Abraham Lincoln said—words which seem to me to fit this occasion most admirably:

What constitutes the bulwark of our own liberty and independence? It is not our frowning battlements, our bristling seacoasts, our Army, or our Navy. These are not our reliances against danger. All of these may be turned against us without making us weaker for the struggle. Our reliance is in the love of liberty which God has planted in us. Our defense is in the spirit which prizes liberty as the heritage of all men in all lands, everywhere. Destroy this spirit and you have planted the seed of despotism at your own doors. Familiarize yourself with the chains of bondage and you prepare your own limbs to wear them. Accustomed to trample on the rights of others, you have lost the strength of your own independence and become the fit subjects of the first cunning tyrant who rises among you.

This, my friends, is the danger which we encounter in our efforts to subjugate the people of the Philippines—the danger of planting the seeds of tyranny in our own land, of familiarizing our people and inoculating ourselves with the germs of despotism by trampling the liberties of others under foot. This is the most serious consequence which I apprehend is to result from our policy in the Philippines.

But gentlemen tell us, "We do not propose to make these foreign possessions States." I will not stop to discuss the construction of the Constitution, which has been adopted by our highest judicial tribunal, "that we can only hold acquired territory in trust with a view of eventually making it States of the American Union." That topic has been sufficiently discussed on this floor in other debates this session upon the Porto Rican bill, and I will not discuss it further at this time.

Nor will I, my friends, trespass upon the rules so far as to discuss the struggle of the Boers for national existence—a question akin to the Philippine proposition and one which is to-day attracting the special attention of this country, by reason of the fact that the envoys from the Transvaal are upon our shores, receiving, as they should, a cordial welcome from our people.

Mr. Chairman, I made recently a clipping from the London Times, commenting upon the reception of those delegates here. That article says, in substance, that those envoys will be welcomed by the American Cabinet and the American people, but it adds that they will find themselves easy subjects in the hands of the American politicians; that verbal sympathy will be extended to them, it is true, but that England has assurance that nothing more than verbal sympathy will be accorded. Tell me, gentlemen, where did that assurance come from? Who gave the assurance that only verbal sympathy would be extended to those people?

[Special cablegram to the Post. (Copyright, 1900, by Chicago Tribune Company.)]

PRO-BRITISH REPORT OF NEW YORK'S WELCOME TO THE BOER ENVOYS.

LONDON, May 16, 1900.

The New York correspondent of the Times sends the following: "The Boer envoys arrived this morning and landed at Hoboken. The Irish mayor of the town offered them the freedom of the city while en route to New York. Hardly one name on the general executive of the New York committee stands for anything which men respect, not even wealth. Their names only represent race prejudice, corrupt politics, and perhaps here and there ignorant sympathies. The members are Dutch and Irish, including the notorious Patrick Egan, Tammany bosses, sundry self-advertising nobodies, and some Germans. The envoys announced at The Hague that they were coming here to instruct the American people. If they plunge into the Presidential election, they will find themselves mere playthings of American politicians."

Editorially the Times says:

"The political miscalculations of Kruger, Steyn, and their advisers have been as gross as the overestimate of their own military resources and the underestimate of the strength of the British Empire. They relied on European intervention, and no single government of Europe, with the exception of Holland, has even given their emissaries a hearing. Foiled in Europe, Fischer and his colleagues have withdrawn across the Atlantic, and are now exercising their blandishments on the people of the United States. As the Presidential campaign is at hand and American wire-pullers on both sides perceive that they may be used for influencing German and Irish votes, they are tolerably certain to meet with plenty of verbal sympathy. So long as that is all they get, we do not greatly mind, and we feel tolerably secure that they will get nothing more."

"A Washington telegram states that the Cabinet has decided to treat them with as much liberality as possible without a breach of diplomatic proprieties, and our New York correspondent warns them that they will find themselves mere playthings of American politicians. Fischer himself seems to cherish some apprehensions on this head, as he began the mission by remarking that what he and his colleagues value is not words, but deeds, and by the rather crude announcement that if they fail to induce the Government to do what they like they will try to arouse the people who can put pressure on the Government."

I do not know why our Government can not interfere far enough to bring about arbitration between the British and the Boer, that all disputes may be peaceably adjusted and that the lives of thousands of brave men who are maintaining such an unequal struggle for independence may be saved. Friendly intervention is all that is asked, and that is denied by the Administration. All resolutions introduced in the House and Senate have been smothered in committee and the author frowned upon by Administration cohorts as enemies of our country.

In the Republican State convention in Illinois last week a resolution expressing sympathy for those people was derided and ridiculed, and the delegate who introduced it was almost hooted out of the convention hall. Why all this, unless it be that you intend to join hands with England in a gigantic scheme of spoliation and territorial aggrandizement?

England looks on and applauds while we prosecute an unholy war in the Philippines, and we in turn, by way of reciprocity, sit idly by and see a brave little Republic, modeled after our own, wiped off the face of the earth, and all because we ourselves are engaged in as unrighteous a war against a people who, for three hundred years, have struggled for independence.

The only excuse and justification for the Philippine war is that it will extend American trade and commerce, all at the instance of the great trusts and monopolies which are sapping the lifeblood of our nation. And right here permit me to digress long enough to inquire why no anti-trust legislation has been enacted by this Congress? Why has every bill introduced here for the suppression of these gigantic and monstrous evils been suppressed by the majority?

Oh, I understand you have introduced a constitutional amendment of some kind; but that was done, I venture to say, for the purpose of tiding the question over the Presidential election. You do not intend to legislate against the trusts, and your amendment is only an excuse and a makeshift. You intend to rely upon platform promises, rather than performance, when you have the present power and the opportunity.

You are such adepts in the art of hoodwinking and deceiving the people, and have been so successful in that line in the past that you hope again to win at the same game in the election this year. But returning to the question of the Philippines, I say that we as a great nation can not afford, even for the purposes of the extension of legitimate trade, to trample under foot every principle of our Constitution, scout every sentiment of our Declaration of Independence, mock every instinct of humanity, and defy every element of justice and right.

It was the President who asked, "Who will haul down the

flag?" I answer in the language of a lay poet, who gave expression to the following verses:

"Who will haul down the flag?" quoth he.
Why, no hand of flesh or bone
Can lower that flag on land or sea
Till the faith of the flag is gone!
Till a few shall rule and cunningly keep
The bunting to garnish their greed;
Till dollars are dear and humanity cheap
By the force of a Tory creed!
Then will it fall! but answer us clear,
Do you fancy that hour is drawing near?

Did our liberty bell ring in vain?
Was our Declaration a lie?
Must we turn to the Old World again
With the penitent prodigal's cry?
Must we arm us and march in the van
Of Europe's barbaric parade,
And boom out gunpowder gospel to man
To open a pathway for trade?
Shall we strut through the world and bluster and brag
With the dollar mark stamped on the brave old flag?

Nay! haul up the flag! raise it high!
Not yet is its spirit spent!
Let it sing to the wind and the sky
The truth that it always meant!
Let it sing of the birthright of man,
Of progress that never can lag;
Let it sing that trade may go where it can,
But liberty follows the flag!

[Loud applause.]

[Mr. BARNEY addressed the committee. See Appendix.]

Mr. KNOX. Mr. Chairman, being practically in charge of some part of this bill, in furtherance of a previous arrangement made with the gentleman from Illinois [Mr. WARNER], chairman of the Committee on Revision of the Laws, who is momentarily absent, I yield fifteen minutes to the gentleman from Ohio [Mr. SHATTUC].

Mr. SHATTUC. Mr. Chairman, just sixteen days after the inauguration of President McKinley and five days after the Democratic Administration gave way to the incoming Republican Congress, the gentleman representing the Ninth district of Missouri, my friend Mr. CHAMP CLARK, in the course of one of his semiclassic speeches, said (I read from the RECORD, page 101, special session, March 20, 1897):

Where is that tide of prosperity now? It seems to have gotten stunted somehow, belated somewhere. It is clearly a case of arrested development. Mr. McKinley, instead of going over the country like another Haroun Al Raschid, scattering blessings around the land, sits at the other end of the avenue with blanched and careworn face and with hollow eyes. * * * Prosperity is coming, is it?

My friend from Missouri was disposed to doubt the coming of the prosperity he was inquiring about, and hastened to unbosom himself of his culling from the Arabian Nights while the country was still staggering through the "slough of despond" and the ponderous shadow of El Hadi Cleveland yet hung like a pall over the land. [Applause.]

It is recorded that under the administration of El Hadi every evil—famine and pestilence, stagnation of trade and maladministration of public affairs—afflicted the Moslem world.

His brother, Haroun, surnamed Al Raschid, who succeeded him, aided by the statesmanship, patriotism, and beneficent laws enacted and administered by the illustrious Barmecides, speedily raised his country from the depths to which it had descended. Hope took the place of despair; industrial revival was everywhere apparent; confidence prevailed where heretofore distrust, doubt, and despondency existed; capital was invested with a sure guaranty of legitimate reward, and labor was blessed with remunerative compensation.

From his palace in Bagdad Haroun saw the Moslem world raised to a pinnacle of glory, happiness, and prosperity such as it had never hitherto attained, and the people with one acclaim hailed him by the title of the "Magnificent;" but it took the noble Barmecides and the wise Haroun more than sixteen days to effect this change. [Applause.]

Nor did they accomplish it in four years, for the evils of El Hadi's rule were hard to eradicate, and his pernicious party continued to offer every opposition in their power to block the wheels of progress, by ignoring the prosperity which was becoming universal and inciting the people to discontent by predictions and inventions of imaginary forthcoming evils.

History loves to dwell on the honor and vigor with which the Barmecides served the people's interests, and condemns without qualification the unpatriotic, narrow, and vicious policy of their opponents. [Applause.]

Of the Abbasside caliphs who preceded him, Haroun was the most amiable, virtuous, honest, and farseeing. He was beloved for his personal attributes and admired and respected by the entire Moslem world for his wisdom and statesmanship.

When the gentleman from Missouri sought in the pages of the Arabian Nights for a character to embellish his metaphor, the

good that is in all men—even in a Democrat—forced him unconsciously to select prototypes for the President and the Republican party in Haroun and his illustrious Barmecides, which significantly and strikingly illustrates the difference in policy, aims, objects, and accomplished facts between the party and the President now shaping the destinies of the Republic and his own repudiated party. It is El Hadis, past (heir), apparent and prospective, which, before it was hurled from power, had almost closed the mills, factories, and shops of the entire country; paralyzed business, choked every industrial aspiration and enterprise, emptied the Treasury of the nation, and made the charitable soup kitchen a prominent feature of every city in this broad land. [Applause.]

Four years have not yet elapsed since the Republican party and President assumed the reins of government, and behold that which can now be seen by the eyes of all men.

Every mill, factory, and shop in this Republic of 75,000,000 people running at their full capacity.

Field, factory, and mine are again populated with the willing and hopeful toiler; work for every man, and every man at work who wants to earn an honest living. [Applause.]

Illimitable markets for the products of our manufacturers are opening up in both hemispheres.

Capital is plunging for investment; labor is cheerful and ready for the advantageous offers of competing employers; everywhere the hum of industry greets and jars the auditory nerves of the large-eared calamity howlers, who were wont to agitate the circumambient air with their lamentations.

Plenty to eat, plenty to wear, good times at hand, and better times still in the immediate future. [Applause.]

Immigration, that touchstone of a country's prosperity and advancing fortunes, is again seeking our shores in increasing ratio.

Wages in a vast majority of industrial enterprises has been advanced in many instances 25 per cent, and in all a higher rate of compensation prevails.

The mineral wealth of the country is being developed from ocean to ocean, and it will soon be poured into the laps of our people from the islands of the sea.

Our miners, mechanics, artisans, and toilers of every class have felt the prosperity which the farmer and the manufacturer and the investor are realizing, but, Mr. Chairman, it is only the first splashing of the rising tide, which will soon be high enough to overwhelm and drown the croakers, statesmen, and party whose policy and rule inevitably lead to the soup house, the silent factory and closed mill, the abandoned mine, the mortgaged farm, and the stagnation of all industrial arts and enterprises, such as the country traveled under at the close of the Democratic Administration March 4, 1897.

What was the condition of the country when the Democratic party was hurled from power, less than four years ago? And what is its condition to-day? I hold, Mr. Chairman, that a recapitulation of the distress, disaster, and misrule on the one side is as superfluous as the industrial and business revival and the beneficent administration of public affairs by the party now in power, because every wage-earner, every employer, every investor, and every business man in the entire country knows, sees, and feels the contrast; but it is sometimes salutary to recite well-known occurrences, that the lessons they teach may be kept fresh in the minds of men, who, unfortunately and too often, as the history of recent times demonstrates, forget, while in the enjoyment of industrial blessings, the distress and the hardships themselves and their families have endured under conditions brought about by narrow, unpatriotic, and unprogressive legislation, unsuited to either the conditions or genius of an energetic, intelligent, and self-reliant people. [Applause.]

At the close of the Democratic Administration of Grover Cleveland the National Treasury was empty. Scandal and disgrace were the coupons attached to the methods adopted for raising money to run the Government; a tariff law almost universally condemned, except by its immediate promoters, had been enacted; the business of the country was paralyzed by its provisions and the corollary conditions then prevailing from the distrust and uncertainty engendered by vicious legislation; public credit was at a low ebb, while private credit and mercantile confidence had almost ceased to exist, except in its worst and most speculative form; the streets or our cities were black with idle men; farms were unproductive; mines were closed; the fires in our mills had been extinguished; railway traffic had fallen off 20 per cent; immigration was discontinued, and every outgoing Atlantic liner carried mechanics and artisans back to their respective native lands in search of the employment they failed to find in this country.

Tramps lined every road, and in daily increasing numbers the honest, independent, and self-respecting toiler was being reduced to the condition of an applicant for public charity—for a tin of soup at the kitchen of municipal charity! All enterprise had ceased; there was little work and less wages.

The Republican party and its candidate for President assailed this condition of affairs and pointed out that they were due to the vicious legislation and maladministration of the Democratic party, and not to any diminution in either the products of the farm or in our natural wealth and resources.

The country was promised a remedy for the evils which afflicted all classes of the community alike, the employer as well as the employee.

The Republican party and the President selected by the people in that ever memorable and distressful epoch of 1897, with less than four years to its credit in legislating for and administering the affairs of the country, presents to the American people a record of its achievements, which, but partially enumerated, changes the whole face of affairs and shows to-day a country which is acknowledged to be the greatest world power on earth, respected abroad, and beloved at home; feeding from its bosom 75,000,000 of free people as no other people on earth are fed, clothed, and housed.

Where are now the thousands, the tens and hundreds of thousands, nay, the millions, who were subjects of charity and saved from starvation by the city soup kitchens of 1897? They are again, under Republican rule, self-supporting, self-respecting, and self-reliant citizens, grateful to the party and President who has made it possible for them to eat the bread of honest toil. They walk with heads erect and with hope of the future for themselves, their children, and their country, animating their hearts and strengthening their sinews. [Applause.]

The other millions whose resources were exhausted, whose savings under Republican rule saved them from the humiliation of the soup kitchen, but left them impoverished and but a portion of the time earning meager wages, are now again filling the vaults of the savings banks with their surplus earnings and acquiring modest homes—the dearest ambition of the American free-born workman—in every city and hamlet in the land.

Let my friend from Missouri and his great chief go to these men and preach against protection, expansion, and organized capital, or any other issue their imaginations can torture into evil or misgovernment, and ask to be again intrusted with the Government of the country.

Preach to them the advantages of a "change," and ring the changes, too, on the maladministration and intention of the Republican party to open new markets for the products of their handicraft and the surplus of their farms.

Yes, call it "expansion," "imperialism," or any other "raw head and bloody bones" appellation you may please, and note the response to your appeals in November by these, the producing classes, the intelligent artisan, and the sturdy, honest, farmer; the former of whom is but just recovering from the vilest of all slavery—the slavery of charity—and the latter, who is beginning to see the redemption of his acres from the interest-eating mortgage shark.

What happy fancy induced my distinguished friend from Missouri to analogically select the rule of Haroun Al Raschid and William McKinley I know not; but I would, with all proper reverence, call it an inspiration of Providence, and that the gentleman's better angel was in the library at his elbow turning over the leaves for his text. [Applause.]

That the end of the Barmecides, who were finally hurled from power, and who during their rule had made the administration of Haroun so beneficent and the Moslem world so happy and prosperous, may not be the fate of the Republican party will be the hope and prayer next November of every citizen who loves his country; for when their enemies prevailed and these honest and sagacious statesmen were destroyed, chaos again reigned in Bagdad; crime, suffering, starvation, and the destruction of all industrial enterprises followed.

The analogy, Mr. Chairman, is perfect between the reign of El Hadi and Grover Cleveland, and it is accurately just and most appropriate in expecting, as my friend from Missouri evidently expected, that the rule of Mr. McKinley and the Republican party would parallel that of Haroun the Magnificent and the illustrious Barmecides, for sixteen days after Mr. McKinley's inauguration the gentleman plaintively complained of "the President, sitting at the other end of the Avenue, instead of scattering blessings over the country, like Haroun Al Raschid," winding up his remarks by asking, "Where is the tide of prosperity now?" To which, Mr. Chairman, I emphatically reply, It is here! [Applause.]

The rule of William McKinley and the Republican party has brought prosperity to the door of the cabin and the mansion alike; to the stately home of my friend from Missouri, as well as to the humbler homesteads of all his and our now prosperous and happy constituents. [Loud applause on the Republican side.]

Mr. WARNER. I yield five minutes to the gentleman from Pennsylvania [Mr. OLMSTED].

Mr. OLMSTED. Mr. Chairman, in the few remarks that I shall make I shall address myself to the subject of gold, and in so doing shall endeavor to perform the somewhat unusual feat of

avoiding politics, and at the same time confining myself to legitimate discussion of the provisions of the bill under consideration. Over in Pennsylvania some of my constituents secure their livelihood by dredging the Susquehanna River, opposite the city of Harrisburg, and obtaining therefrom small particles of anthracite coal, washed down by the floods from the mines upon tributary streams many miles farther up the river; but the dredgers among the glittering sands of Cape Nome's golden beach secure a harvest compared to which the fortunes of my constituents are not to be mentioned. When they came there for the purpose of dredging that gold, they found themselves hindered by the provisions of an act of Congress, approved March 3, 1899, prohibiting the excavation, disturbance, or modification of the channel of any navigable water, unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of War.

Now, it so happens that the most profitable part of that mining is below low tide and within the 3-mile limit, within which the sea is subject to the jurisdiction of the United States, and of course the soil thereunder is subject to our jurisdiction. In order to permit that mining the best that could be done was that the Secretary of War should issue permits to those seeking to dredge those waters, relieving them from the penalties prescribed by the act of 1899. In the long discussion of this bill which occurred in the Senate it was contended by many that the Secretary of War had exceeded his jurisdiction, and a provision was put into the Senate bill which I shall read:

The laws of the United States relating to mining claims, mineral locations, and rights incident thereto are hereby extended to the district of Alaska: *Provided*, That subject only to such general limitations as may be necessary to exempt navigation from artificial obstructions all land and shoal water below mean high tide on the shores, bays, and inlets of Bering Sea, within the jurisdiction of the United States, shall be subject to exploration for gold and other precious metals by citizens of the United States, or persons who have legally declared their intentions to become such, under such reasonable rules and regulations as the miners in organized mining districts may have heretofore made or may hereafter make governing the temporary possession thereof for exploration and mining purposes until otherwise provided by law.

As amended by the House committee since the bill came from the Senate to the House, it reads as follows:

That subject only to such general limitations as may be necessary to exempt navigation from artificial obstructions all land and shoal water between low tide and the tundra on the shores, bays, and inlets of Bering Sea, within the jurisdiction of the United States, shall be subject to exploration for gold and other precious metals.

Now, a little investigation will show that that leaves entirely out of the bill the beach below low tide.

Mr. WARNER. Will the gentleman permit me to correct him? A little further along in the bill he will find that the Secretary of War has control of everything below tide. He controls that and may grant permits.

Mr. OLMSTED. Further in the section it is provided:

And no exclusive permit shall be granted by the Secretary of War authorizing any person or persons, corporation or company to excavate or mine under any of said waters below mean low tide, and if such exclusive permit has been granted it is hereby revoked.

It takes away absolutely the power which the Secretary of War has been exercising and does not confer upon him any additional power.

Mr. LACEY. I would suggest to my friend from Pennsylvania that in turning around that portion of the section there is certainly an omission, and I have taken the pains to prepare an amendment, inserting a little further down in the section the words that are practically eliminated by the modification of the fore part of the section. It can be very easily corrected.

Mr. OLMSTED. It can be very easily corrected, and I have prepared an amendment.

Mr. LACEY. I think it should be corrected.

Mr. OLMSTED. This bill was necessarily considered very hastily by the committee, and no blame should attach to anybody if it is not just as it should be in every particular. It being a bill of several hundred sections, there was not time to consider all of its provisions carefully.

Mr. LACEY. All the difficulty arose by starting from the middle instead of from one side. The Senate commenced at high tide and legislated out to sea, and the House bill commences at low tide and legislates inward, but did not legislate out to sea.

Mr. OLMSTED. That is the difficulty.

Mr. LACEY. I have prepared an amendment which will cover the point.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. WARNER. I will extend the gentleman's time for five minutes.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes longer.

Mr. WARNER. If the gentleman from Pennsylvania will permit me, I am of the opinion that the gentleman from Iowa [Mr. LACEY] is in error. My understanding is that this bill is exactly right as it is now. The Secretary of War now has control of the

navigable waters of Bering Sea, as of all other navigable waters. He can grant any permits he pleases in relation to dredging. Under that authority he has granted permits. It has been stated that he has granted exclusive permits, and this bill provides that if he has granted any exclusive permits they shall be revoked, and are null and void. Now, in the first part of the section it is provided:

The laws of the United States relating to mining claims, mineral locations, and rights incident thereto are hereby extended to the district of Alaska: *Provided*, That subject only to such general limitations as may be necessary to exempt navigation from artificial obstructions.

After the word "obstructions" there should be a period. That is an amendment which should be adopted. And then the next sentence should begin: "All land and shoal water between low tide and the tundra on the shore" shall be subject to miners' laws. The miners' meetings control between the tundra and low tide, the Secretary of War controls from low tide down to the ocean, and the general mining laws control from the tundra back into the interior. It needs no amendment except a period after the word "obstructions," in line 5; it then makes the next sentence commence with the words "All land," etc. It is perfectly plain, in my judgment, to show the distinctions and show the jurisdictions of the three powers—the Secretary of War, the miners' meetings, and the general mining laws of the United States. But that will be come to and considered when we take it up by sections for amendment.

Mr. OLMSTED. It seems to me far from clear, and the use of the word "tundra," which is rather an indefinite term, new in the English language, and not very clearly defined in any language, tends to further confusion.

Mr. WARNER. If the gentleman will permit me, it is a well-defined Russian word, that is understood by everyone in that country. It is the end of vegetation along the shore line. It is as well defined as one of the aisles of this Chamber. While high and low tide are hard to define, the tundra can be found by a blind man. It is fixed and determined, and the word is understood, and was borrowed from the Russian, and has been used from the time the Russians settled that country. It is as well understood as the word "timber" is in the United States.

Mr. OLMSTED. If my friend will permit me, I think he is mistaken. He will not find tundra defined in the American Cyclopædia or Encyclopædia Britannica, or Worcester's Dictionary. The International Cyclopædia contains this definition:

Tundra is the Russian name for the vast plains which border on the Arctic Ocean in Siberia, and also westward from the Ural along the north of Europe. They are swampy tracts of land, partly covered over with a thick felt of bog moss and partly with a dry, snow-white covering of reindeer moss and different kinds of lichens. It is only the reindeer that renders this frightful waste habitable for the wandering hordes of Samoyedes who hunt the furred animals, as well as the swans and wild geese which in summer flock hither in vast numbers. These polar steppes can be trodden only in winter, when the whole region is one sheet of frozen soil and ice. In summer, when the surface thaws, the greater part of the region becomes an inaccessible morass, except a portion along the north coast of Siberia which retains its snow throughout the entire year.

Johnson's Dictionary of Geography says:

Tundra (meaning marsh land covered with moss and always frozen) is a name applied to vast regions of Siberia north of latitude 68° and between 140° and 170° east.

According to Webster a tundra is "a rolling, marshy, mossy plain of northern Siberia."

According to the Standard Dictionary it is "a rolling plain of Russia and Siberia, covered with moss, and at times very moist or marshy."

The CHAIRMAN. The time of the gentleman has expired.

Mr. WARNER. I yield two minutes more to the gentleman.

Mr. OLMSTED. Tundra is therefore not a term applicable to the line of vegetation along every coast nor along the whole of any coast. There are hundreds of miles of Alaskan coast without any tundra whatever. It is stated that in the vicinity of Cape Nome there is a tundra extending some 20 miles up and down the beach and 10 or 15 miles back into the country toward the mountains. We are legislating not only for that part of the Alaskan coast which is opposite this tundra, but also for the whole coast along most of which there is no tundra. Suppose we were legislating for the Atlantic coast, and were to make a certain rule for the territory between low water and the rocks. There would be no trouble in finding the rocks along some portions of the Massachusetts coast, but in New Jersey you might have to go back from the sea 50 miles to find a respectable rock. So it is if we use the term tundra in legislating for the Alaskan coast. The tundra may be 20 miles wide at the coast, and 10 miles back it might be 30 miles wide. What would be the law along that part of the coast where it is 10 miles from low tide to the tundra? You will see that the use of that word makes the provisions of the bill very indefinite. The object sought to be obtained seems to be to provide three different divisions, viz:

First. The territory inland from the edge of the tundra nearest

to the coast, this to be subject to the general mining laws of the United States;

Second. The space between low-tide line and the tundra on the shores, which, as I have already shown, is very indefinite; and

Third. From the low-tide line out to the 3-mile limit at sea, concerning which the bill as it now stands makes no provision whatever except that it annuls every exclusive permit that has heretofore been given. The exact provision of the act of 1899 is as follows:

It shall not be lawful to excavate or fill or in any manner to alter or modify the course, location, condition, or capacity of any port, roadstead, haven, harbor, canal, lake, harbor of refuge, or inclosure within the limits of any breakwater, or of the channel of any navigable water of the United States, unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of War prior to beginning the same.

Section 12 of the act makes it a criminal offense, punishable by fine or imprisonment, or both, to excavate without the required authority. As I have already stated, the Secretary of War, as the best thing that could be done, has granted permits to excavate the bottom of the sea, the object of the excavators being to mine for gold. It was, however, strenuously contended in the Senate that such excavation was not of the character contemplated in the act to be recommended by the Chief of Engineers, and in fact is not so recommended, and that the Secretary of War has, in strictness, no authority to grant any such permit. In order to clear away all doubts the Senate bill expressly authorizes mining within the 3-mile limit, and to that extent by implication repeals the act of 1899; but as the Senate bill is now amended in the House it strikes out that provision and confers no additional authority upon the Secretary of War. It expressly provides that no exclusive permit shall be given, and if any have heretofore been given they are annulled.

The Secretary of War can hardly be expected to grant permits to different individuals to make excavations in the same particular location, and it was certainly not contemplated by the act of 1899 that he shall give a general permit to anybody to make excavations wherever and to whatever extent he pleases. This bill, therefore, in its present form leaves the whole matter in the most unsatisfactory condition possible. It is, of course, of the greatest importance to the people of the United States that the gold which is mingled with the sands of the sea on this most wonderful beach shall be found and added to the wealth of the country. It is stated that more than 100,000 miners, from various parts of the United States, are on their way to these gold fields, for the purpose of mining or dredging for gold. It has been urged as of the utmost importance that this voluminous bill shall be considered and passed at once, so that the rights of these persons, and those already there, may be as clearly determined as possible, and that they may have laws for their government, civil as well as criminal, but if we are to pass a law at all we ought to make it as clear as possible. As I have already shown, this bill in its present form is very uncertain and indefinite in its provisions for mining inland from low-water mark, while from low-water mark outward the miners' rights, like their actual operations, are figuratively and literally at sea.

[Here the hammer fell.]

Mr. LLOYD. I yield two minutes to the gentleman from Missouri [Mr. COWHERD].

[Mr. COWHERD addressed the committee. See Appendix.]

Mr. LLOYD. I now yield five minutes to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES. Mr. Chairman, a few minutes ago the gentleman from Ohio [Mr. SHATTUCK] regaled us with an exploitation of our effervescent prosperity, brought about by war demands here and in foreign countries and which the Republicans claim is real prosperity and the result of Republican legislation.

The remarks of the gentleman reminded me of a clipping from the Cincinnati Star, a Republican sheet, read yesterday on my way here from Tennessee, where the Democrats dealt a few days ago a heavy blow to imperialism. I will read it:

REPORT THAT NO MORE HELP IS NECESSARY IN INDIA IS FALSE.

NEW YORK, May 16, 1900.

Certain newspapers having made the statement that Lord Curzon, viceroy of India, had said that no further help was needed in the famine, the New York committee of one hundred on India famine relief sent the following cable to Lord Curzon:

"Committee of one hundred citizens formed here for famine relief. Newspapers report you say no more funds needed. Cable full facts at our expense."

The reply received is as follows:

SIMLA, May 15.

WILLIAM E. DODGE,

Chairman India Famine Fund Committee, New York:

So far from no more funds being needed, every dollar is of service in saving life. We have five and three-quarter millions on relief. Many in extreme destitution. All help gladly received.

LORD CURZON.

India is one of England's colonies, and five and three-quarter millions are starving; and officials are calling for aid on this

country, which has a written Constitution the Republican party never obeyed if it could get out of it. What I next desire to read is an editorial, intelligent indeed, taken from a Porto Rican paper, printed in San Juan, and is as follows:

A PORTO RICAN VIEW.

The treatment of Porto Ricans as foreigners, while denying them the rights of foreigners, seems to be bitterly resented in the island. The *Diario de Puerto Rico*, published at San Juan, Porto Rico, says:

"The cable communicates to us a notice which can not be more sad for us nor more satisfactory for the trusts. We are not to receive the Constitution. We are not to have personality in the island nor on the continent. We are not to be American citizens. We are to be what we were many years ago, simply colonials. Aye, less, for there exist colonies with all the advantages of citizenship.

"Porto Rico did not expect this. It believed that the American lawmakers, above considerations of party interests or mercantile egotism, would honor the prestige of their native institutions, built up by Washington, Jefferson, Lincoln, and other illustrious men. It expected that the Government would respond to the motives which impelled it to the war with Spain—motives of justice and humanity, proclaimed before all the world; that the promise of General Miles would be carried out as an article of faith; that there would not be reduced to mere platitudes the generous propositions repeatedly formulated by high Government authorities, from President McKinley down.

"We manifest that the alluring promises have not been carried out; that American citizenship is denied us; that American liberty is not conceded us; that we live in the condition of vassals in a conquered land; that we are reduced to shameful inferiority; that even Hawaii results superior to our island by the acts of the lawmakers at Washington, and that this aggregation of iniquities calls forth our protest. The Porto Rican people manfully protests against the action of Congress; it did not open its arms to the invading army to afterwards receive such a slap in the face; it did not acclaim the beautiful starry banner to have it bring ignominy and servitude to our native hearths. The Foraker bill is an injustice; more, it is an insult of the strong to the weak. We will lack the Constitution, that greatest of guarantees: we will lack liberty, that gift of the gods.

"Under Spanish rule we were even represented in the National Parliament. The Spanish constitution had the same force here as in Spain. Is it possible that the United States, the most advanced of nations, after having taken away what Spain had conceded us, would push us back in the scale of civilized peoples? There are things which are unequal, incomprehensible, inconceivable. But the true opinion of the American people sympathizes with our cause and is far from indorsing such an injustice."

Mr. Chairman, I commit this editorial, this mail from these people that have been deprived of their constitutional rights, deprived of their country, deprived of their flag, to the prayerful consideration of the gentlemen on the other side who knew their "plain duty," from the President down, and did it not. [Applause on the Democratic side.]

Mr. LLOYD. I now yield ten minutes to the gentleman from Illinois [Mr. CALDWELL].

Mr. CALDWELL. Mr. Chairman, the latitude of debate permitted in this House when it is in Committee of the Whole House on the state of the Union is one of the strictly American things still in existence in this city, and as such it is very refreshing.

It takes us back to the breezy patriotic days of the Continental Congress, when our forefathers were more busy devising ways and means to protect the colonies from the monarchical rule of England than they were in hunting means to curry favor with a government that is and always has been since its foundation opposed to a republican form of government. As the sands of time are slipping from under the last year of this century we are facing great and momentous problems.

I feel that our form of government, as it came unscathed from the war of the rebellion, is as dear to me as to anyone within its confines. I hold its early traditions as dearly and honor the statesmen of its earlier days as highly as anyone can. Consequently, it is with forebodings of direst evil that I behold our Government, day by day and year by year, maybe slowly, but nevertheless surely, becoming less American and less like it was when the victory of New Orleans was won and almost an empire in extent was added by our matchless valor in Mexico.

I know not whether we are less patriotic and love our country and its institutions less than in the past, or whether it is that those in high places in their greed, maybe for an empire on which the sun will never set, have set such an example of commercial avarice as has obscured for the time being the flag, the Constitution that should go with it everywhere, and the fact that this nation is one of the most powerful in the world and that it is in theory, if not actually, a republic.

If Washington, Jefferson, Monroe, Jackson, or Lincoln were alive, and any one of them President, do you opine that the Boer commissioners who will visit this city in a few days would receive a different reception from the one which the present Chief Executive will extend to them? Do you suppose that this Government will give them as hearty a reception as did France our representatives when we were fighting for the form of government for which the two small, weak Republics in South Africa are now battling?

Every member of this House knows that there are influences in high places which will prevent anything of the kind.

Coming as I do from the State of Illinois, I am proud to know that in the States, at least of Ohio, Indiana, Illinois, Missouri, Wisconsin, Michigan, and Minnesota, there is an awakening. A large number of our foreign-born citizens (and they are among

the best and most loyal that we have) left other climes and rules that they might enjoy our form of government.

Notably among those the Germans are wondering how we, as a nation, can stand idly by and see those two little Republics blotted out of existence. That it may not be done without protest from them, they have held meetings and adopted resolutions of sympathy in almost every State of this Union.

I assume, whether gratuitously or not I do not know, that the President and every member of Congress reads the proceedings of Congress; and whether they do or not, I know that thousands of citizens do. That the petition to the President and Congress of the representatives of almost 100,000 Germans of Ohio (and I am thoroughly satisfied that a very large majority of the Germans of Illinois and all others who have come from foreign lands most heartily indorse its temperate and American sentiments) may have the publicity to which it is entitled, I close by reading it.

Before doing so, however, I think it not amiss to call the attention of the House and the whole country to the fact that a liberty-loving Irishman happened to be a delegate to the Illinois State Republican convention and attempted to introduce and have considered in that body the following resolution:

We extend our sympathy to the South African Republics in their heroic struggle to preserve their national independence and integrity.

Not only was the above resolution not considered by that convention, but its author was howled down and not even given the scant courtesy of speaking in behalf of it in convention.

In connection with the above statement of facts it is, I suppose, almost superfluous to add that the convention instructed by acclamation for William McKinley for President.

I sincerely trust that the foregoing facts will be borne in mind while reading the petition to the President and Congress which I now read:

A petition urging that the Government of the United States use its friendly offices to bring about a cessation of hostilities between Great Britain and the South African Republics.

At a meeting of the delegates of nearly 100 German-American societies in the city of Cleveland, Ohio, which virtually represent the bulk of the 90,000 American citizens of German extraction residing in said city, held on the evening of Tuesday, April 24, 1900, it was unanimously resolved to petition the President and the Congress of the United States to tender the friendly offices of the United States Government to both belligerents in the war of England against the South African Republics, with the view of ending, if possible, this deplorable war at the

EARLIEST POSSIBLE MOMENT.

The undersigned were elected as a committee to give these wishes and aims expression, and, so authorized, this committee indorses the following argument, heretofore adopted by a similar body of American citizens of German extraction at Pittsburgh, Pa., in March, 1900:

"To His Excellency the Hon. William McKinley, President of the United States of America, and the Congress of the United States of America:

"We, the undersigned, citizens of the United States of America, feel in duty bound to submit to Your Excellency this expression of our sentiments regarding the war now existing between Great Britain and the South African Republics.

"It would be useless to deny that our nation is all but unanimous in condemning the war of extermination now being waged by the Government of Great Britain against a people who are inferior to their adversaries only in numbers, and whose heroic struggle for independence in the face of overwhelming odds has won for them the sympathy and admiration of the entire civilized world.

The argument that the Boer is unprogressive and incapable of culture because he has thus far resisted English enterprise is, in our opinion, utterly fallacious. The skeptical attitude of the Boer toward that breathless material development so characteristic of modern civilization, the proverbial stubbornness with which he clings to its own customs and traditions, his determinations rather to perish than to surrender those institutions upon which he alone bases his hopes for the future, are but traits such as we may expect to find in the early history of every nation which has thus far succeeded in working out a culture of its own. To insure the steady and harmonious growth of a nation it is essential that no one factor of its development be unduly and prematurely emphasized. There is nothing which so tends to stultify a people, especially one still in a formative state, as an excessive amount of industrialism. By holding out the prospect of immediate wealth, it lures into mercantile pursuits that talent which should devote itself to higher problems.

It does not, as is frequently maintained, lay the foundation for a superior civilization; on the contrary, by absorbing the energy of the best individuals, it not only fails to evoke the latent genius of a nation, but also destroys the very leaven of a truly human life. The precipitate haste and feverish activity which it entails are incompatible with the repose so indispensable to culture. An exclusively commercial policy will inevitably lead to that fatal state of affairs where stagnant multitudes and mushroom cities are mistaken for progress, where every sense of beauty and proportion is blunted, where the eye for the future is wanting, where the reckless generation not only poisons its own existence, but also does irreparable harm to its posterity. A people's culture must be deeply rooted in the past, and it is a grave error to suppose that a community whose highest ideal has hitherto been a life of luxury and ease can by means of its acquired wealth suddenly produce, as if by magic, that which presupposes centuries of rigorous self-discipline and creative effort.

Disregarding minor issues, we are convinced that, if the Boer loses his autonomy, a nascent culture with infinite possibilities will be suppressed. Far from being the sworn enemy of progress, he is but opposing a short-sighted policy which, for the sake of realizing a few temporary advantages, sets at naught questions of the most far-reaching consequence. Where the destiny of an entire continent is to be shaped, a master race is needed, endowed with that penetrative wisdom, deliberate foresight, plastic power, in short, with those rarer qualities which men whose ambition culminates in the building of railways, in the operation of mines, and in the establishment of centers of trade do not possess, but which the élite of international intelligence almost without exception concede to the Boer.

Therefore, we feel justified in saying that the Boer, instead of being a re-

tarding factor, is indispensable to civilization, and that this age will be held responsible for one of the most heinous crimes ever perpetrated against mankind, if he be allowed to perish from the earth. It is doubly painful to us to observe that a nation with whom we have lately been on the most friendly terms should have permitted itself to be plunged into an ignominious war by the insidious wiles of a few selfish individuals. We wish it distinctly understood that this appeal is not actuated by any desire to disturb the friendly relations now existing between this country and Great Britain, but is merely intended to convey those truths which we must not withhold from a friend who is on the verge of staining his name forever.

Therefore, we respectfully petition that Your Excellency and the Congress of the United States, by virtue of Article III of the recent treaty of The Hague, extend the friendly offices of the United States to Great Britain and the South African Republics in order to bring about an immediate cessation of hostilities and to effect an honorable settlement between the belligerent powers.

DR. GEO. F. LEICK,
ADOLF EHRENBURG,
LOUIS UHL,
C. A. MUELLER,
F. PENNDORF,
E. H. BOHM,

Committee.

Mr. LLOYD. Mr. Chairman, I now yield ten minutes to the gentleman from Ohio [Mr. McDOWELL].

[Mr. McDOWELL addressed the committee. See Appendix.]

Mr. LLOYD. Mr. Chairman, I now yield ten minutes to the gentleman from New Jersey [Mr. SALMON].

[Mr. SALMON addressed the committee. See Appendix.]

Mr. LLOYD. I yield five minutes to the gentleman from Utah [Mr. KING].

[Mr. KING addressed the committee. See Appendix.]

Mr. LLOYD. I yield five minutes to the gentleman from Kansas [Mr. RIDGELY].

Mr. RIDGELY. Mr. Chairman, I but desire to continue the warning voice against our nation's tendency to monarchy.

Mr. HILL. If the gentleman from Kansas will allow me, I understand he has just returned from the great national convention of his party at Sioux Falls. Will he not kindly explain to the House the policy of the next Democratic-Populist party on the money, trusts, and anti-imperialist questions?

Mr. KING. If the gentleman will give him an hour's time, I have no doubt the gentleman from Kansas can do so.

Mr. HILL. Nobody is better qualified to do it than the gentleman from Kansas.

Mr. RIDGELY. Nothing would please me better than to enlighten the gentleman [laughter]; but inasmuch as the rule which his side insist upon enforcing is against free discussion here, I shall have to refer him and his colleagues to the platform adopted at the Sioux Falls convention by the People's Party. I will say this much, however, that it rings out clear against imperialism and militarism. It declares for government by consent of the governed, in support of true American principles, according to the Declaration of Independence.

Mr. HILL. How about the free coinage of silver?

Mr. RIDGELY. We declare for its restoration. I will put into the RECORD, under the privilege to print, an editorial of to-day in the North American, a Republican paper, one of the few loyal organs of the gentleman's own party, which, in spite of the President's imperial policy, has the courage to speak for free republics and against monarchies. The editorial clearly voices the true sentiments of 95 per cent of our people in behalf of the struggling Boers, while between every line there is a bold and bitter condemnation of the shameful silence of the President and his undeniable aid of Great Britain in its brutal annihilation of two existing republics. Let me read the article:

THE BOER ENVOYS.

From the cold inhospitality of the courts of Europe the Boers turn to the free people of America for sympathy, and send their envoys across the Atlantic to plead for aid and comfort in their brave struggle against the tyranny of one of the most powerful nations of the earth.

It is pitiful that a people fighting only for the rights that our forefathers declared to be inalienable should find in all the world no nation big enough in heart and brain to stretch forth the mailed hand of menace and say to the bully of weak peoples: "Strike at your peril. These are free men, and their right to govern themselves shall not be taken from them." But so it is, for governments are not moved by the sentiments of the governed to fling aside the restraints of use and wont, spurn the traditions of international policy and throw self-interest to the winds for the sake of oppressed humanity.

When self-interest marches in step with righteous indignation—and the bully happens to be not very formidable—the victim of outrage may expect chivalrous intervention and the succor of the mailed hand, but otherwise must be content with sympathy expressed in words and carry on unaided his fight to the bitter end.

The sympathy of the people of America is with the Boers, and the envoys from the Dutch republics will hear it voiced by millions, and will know that the spirit that animated the men of '76 to defy the power of England is strong in the hearts of their descendants.

They will learn, if they do not already know, that the American people look upon the cause of the Dutch burghers as the counterpart of the cause to which the farmers of the American colonies pledged their lives, their fortunes, and their sacred honor. The generous sympathy that was given to Kossuth, to Garibaldi, to every champion of human rights who has turned from the Old World in despair and made his appeal to freemen of the New, will be accorded with heartfelt fervor to the Boer envoys. What more may come of their pathetic mission we do not know, for the time that remains for

action which might stay the greedy hand of England is short—much too brief, we fear.

But the least the people of this country can do is to drive through the British skull and into the British mind the fact that Americans detest from the depths of their souls the bloody piracy of the British Government.

Mr. HILL. How about the free coinage of silver in that platform?

Mr. RIDGELY. The free coinage of silver is involved in the present struggle for human liberty the world over. The people should determine for themselves what shall be the material used in making money and what shall be its source of issue and legal and commercial power. We are opposed to your bank monopoly of money; to your issue of money by corporations instead of by the people. We demand that Congress shall regulate the value of money, as the Constitution declares it shall. We say you shall not give this power over to the bankers to be used by them in controlling the prices of the people's property, which they must produce and sell to pay the taxes and debts which you are forcing upon them.

Mr. HILL. Are you still for 16 to 1?

Mr. RIDGELY. I am still for 16 to 1 and the issuing of all money by the Government and not by the banks. [Applause on the Democratic side.] And my party stands there, as clearly defined in its platform.

Mr. SHACKLEFORD. Is the gentleman from Connecticut [Mr. HILL] in favor of sending money, whether it be silver or gold, to Cuba to be taken in by the postmasters down there? [Derisive laughter on the Democratic side.]

Mr. RIDGELY. Ah, the disgraceful and shameful thievery that is going on under your Republican apology for a government down there! [Applause on the Democratic side.] You assume to govern the people of all these islands and to tax them without their voice or voluntary consent, and you and these helpless people are getting the curses that ever result from "carpet-bag" government. Against all this violation of the principles of a free republic we on this side stand for a just government, deriving all its powers from the consent of the governed.

Mr. McCLEARY. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Kansas yield to the gentleman from Minnesota?

Mr. RIDGELY. I do.

Mr. McCLEARY. Has the gentleman figured out how he can favor the free coinage of silver at 16 to 1 and yet at the same time favor the control of the volume of money by the Government?

Mr. HILL. Now, you have an opportunity to explain that.

Mr. RIDGELY. Yes, sir; I have. Under the laws of this country many debts, public and private, have been contracted which are both legally and justly payable either in money made of silver metal or that made of gold metal, and yet you people propose to take away from the debtor the privilege of paying debts in silver metal and give to the creditor the power to demand gold alone, when the contract says he shall receive either metal at the option of the debtor.

Therefore we say that it is absolutely right, just, and equitable that the privilege shall be maintained in law permitting the debtor to pay in either metal. You can not produce sufficient of one metal alone. The world never has produced, and in all probability never will produce, a sufficient amount of these metals, both combined, to supply the commerce of the world with its needed money volume. Therefore the added volume should be paper money, full legal tender, issued only by the Government of the United States and never by a banking corporation. This will keep the control of the total volume and value of money in the Government for the protection of all classes. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. RIDGELY. I reserve my right to extend my remarks.

Mr. LLOYD. How much time is remaining on this side?

The CHAIRMAN. Twenty-one minutes remain to the gentleman from Missouri.

Mr. LLOYD. I yield to the gentleman from North Carolina [Mr. KITCHIN].

[Mr. KITCHIN addressed the committee. See Appendix.]

[Mr. LLOYD addressed the committee. See Appendix.]

Mr. KNOX. Mr. Chairman, I have been assigned the duty of having in charge the first twenty-eight sections of this bill. That position arose and was assumed from the fact that a bill for the civil government of Alaska was originally referred to the Committee on Territories. At the same time the Committee on the Revision of the Laws was engaged upon a codification of the civil laws applicable to Alaska—that is, the civil laws of the State of Oregon. These two bills in the Senate were put together, and there was found to be no way of dividing them when they came into the House, and thus the whole bill went to the Committee on the Revision of the Laws and has received practically no consideration by the Committee on Territories, and no responsibility is assumed. I do not mean by that in any way to belittle the bill. The work which has been done by the Committee on the Revision of the Laws has been most laborious and admirable in its results.

The general scope and features of the bill in providing a civil government for Alaska are, I think, practically well understood. For more than seventeen years after Alaska was purchased it was practically without any government. It was made a collection district; the importation of firearms and liquor was prohibited; the killing of seal was forbidden. Thus it remained for seventeen years, until 1884, when a governor was appointed, the laws of Oregon extended there, and further provision made for the preservation of the seal and the ordinary fisheries of the district.

Now we come to a further provision for the government of Alaska. All it amounts to is the creation of three district courts instead of one, the jurisdiction of each judge extending over the entire Territory, with power on the part of the judges to parcel out among themselves the divisions over which they shall preside. This was necessary, of course, to avoid questions of jurisdiction, as there are no surveys in Alaska and no well-defined boundaries; so that there would have been continual conflicts of jurisdiction if the attempt had been made to limit the jurisdiction by definite bounds.

These are district courts with power to appoint clerks. There are three district attorneys with power to appoint assistants and three United States marshals with jurisdiction over the Territory. These provisions constitute substantially the entire scope of this bill. It is easily understood. The bill embraces also a codification of the laws under which these courts are to operate.

I do not care to enter into any discussion of the bill; and if there is no gentleman on this side desiring to speak upon it, we will not occupy the time allowed us in the general debate, but will ask that the reading of the bill for amendment under the five-minute rule may commence.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 1. That the territory ceded to the United States by Russia by the treaty of March 30, 1867, and known as Alaska, shall constitute a civil and judicial district, the government of which shall be organized and administered as hereinafter provided. The temporary seat of government of said district is hereby established at Juneau: *Provided*, That the seat of government shall remain at Sitka until suitable grounds and buildings thereon shall be obtained by purchase or otherwise at Juneau.

Mr. LACEY. I move to strike out the last word. I make this motion for the purpose of inquiring whether the provision making Juneau the capital of the Territory has been fully canvassed.

Mr. KNOX. That matter was very thoroughly canvassed. Juneau, at the head of navigation, southeastern Alaska, has become a large city; and while Governor Brady, who represents the Territory, resides at Sitka, and was of course desirous that the capital should remain there, yet it was, I believe, the universal opinion that Juneau is now the proper place for the capital.

Mr. KING. Is there sufficient information now at hand to indicate that Juneau will be the permanent place for the capital?

Mr. KNOX. Juneau is increasing in business and population; Sitka is diminishing.

Mr. KING. Are any large expenditures contemplated for the erection of Federal buildings, etc.?

Mr. KNOX. There are provisions for the erection of court-houses and jails; and careful limitations have been made as to the amount to be expended; the expenditure can only be made upon the approval of the Attorney-General of the United States.

Mr. KING. It seems to me that in view of the ambulatory character of the population, it would be unwise to make any very heavy expenditures of that kind.

Mr. KNOX. The gentleman will find that that matter has been very carefully guarded in the bill.

Mr. WARNER. Quartz mining is more extensively carried on at Juneau than anywhere else in the world. The largest quartz mills are there.

Mr. DALZELL. Or at Douglas Island.

Mr. WARNER. That is the same thing. Juneau is the emporium.

Mr. PAYNE. If there is any permanent place in Alaska, does not Juneau appear to be the most promising as to permanency?

Mr. WARNER. At present Juneau seems to show as much signs of permanency as any other place; but it really appears to me that Skagway will be the town of Alaska in the years to come, it being the southern terminus of the Yukon and White Pass Railroad, connecting Lake Bennett and the Pacific Ocean.

Mr. PAYNE. Is it not true that mining in the Yukon district appears to be diminishing, while about Juneau, where there is quartz mining and where the supply of quartz appears unlimited, it is permanent?

Mr. WARNER. In the Yukon country the mining is placer mining, which, if I may use the expression, "peters out," but at Juneau it is quartz mining, and the hills are full of mineral which will last for centuries.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. PEARRE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed

bills of the following titles; in which the concurrence of the House was requested:

- S. 409. An act to correct the naval record of Joseph Pitt, alias Joseph Marr, of the U. S. steamers *Princeton* and *Sassacus*, and to erase the name of Joseph Marr and substitute the name of Joseph Pitt on the records of the United States Navy;
- S. 1794. An act for the relief of Fred Weddle;
- S. 3530. An act to fix the compensation of surfmen employed in the Life-Saving Service of the United States;
- S. R. 104. Joint resolution to amend the joint resolution permitting Anson Mills, colonel of the Third Regiment United States Cavalry, to accept and exercise the functions of boundary commissioner on the part of the United States, approved December 12, 1893;
- S. 3917. An act providing for the improvement of the Navy-Yard Bridge, Washington, D. C.;
- S. 283. An act in reference to the civil service and appointments thereunder;
- S. 3754. An act for the erection of a public building at Florence, Ala.;
- S. 4618. An act relating to the exclusive jurisdiction of courts of the United States;
- S. 3352. An act to establish a Branch Soldiers' Home at or near Johnson City, Washington County, Tenn.;
- S. 4020. An act to amend the act of Congress approved May 14, 1880, entitled "An act for the relief of settlers on the public lands;"
- S. 3522. An act granting an increase of pension to Eben E. Pushor;
- S. 4574. An act granting an increase of pension to Mary Emily Wilcox;
- S. 2371. An act to correct the military record of Talton T. Davis;
- S. 2954. An act granting an increase of pension to Elam Kirk;
- S. 3991. An act granting an increase of pension to Sylvester Solomon;
- S. 4128. An act granting a pension to Hester A. Phillips;
- S. 352. An act granting an increase of pension to Catharine A. Young;
- S. 2430. An act granting a pension to Mary C. Williams;
- S. 946. An act granting a pension to Stephen Johnson;
- S. 56. An act granting a pension to Sayer Jensen;
- S. 4553. An act granting an increase of pension to Benjamin Rippleman;
- S. 4420. An act granting an increase of pension to James Irvine;
- S. 4555. An act granting an increase of pension to Stephen Longfellow;
- S. 4441. An act granting a pension to Gertrude B. Wilkinson;
- S. 3517. An act granting an increase of pension to Adam Velten;
- S. 3890. An act granting an increase of pension to Americus V. Rice;
- S. 3767. An act granting a pension to Nellie L. Parsons;
- S. 3342. An act granting an increase of pension to Samuel Dornon;
- S. 952. An act granting a pension to Francis M. Porter;
- S. 4288. An act granting an increase of pension to Elizabeth Brooks;
- S. 415. An act granting a pension to John Roop, late engineer, United States Navy;
- S. 993. An act granting an increase of pension to Edwin S. Anderson;
- S. 3440. An act granting a pension to George W. Harrison;
- S. 1052. An act granting an increase of pension to Rachel Frisbie;
- S. 2886. An act granting an increase of pension to Thomas T. Phillips;
- S. 3574. An act granting a pension to Julia Van Wicklen;
- S. 4212. An act granting a pension to James M. Muck;
- S. 1775. An act granting an increase of pension to Andrew J. Arnett;
- S. 2755. An act granting a pension to Isaac N. Ciesna;
- S. 2286. An act granting an increase of pension to John W. Craig;
- S. 3954. An act granting an increase of pension to Caroline D. Repetti;
- S. 3512. An act granting an increase of pension to Samuel Schultz;
- S. 1240. An act granting an increase of pension to Samuel Nichols;
- S. 4552. An act granting an increase of pension to Joseph Smith;
- S. 4105. An act granting an increase of pension to John Coombs;
- S. 4241. An act granting an increase of pension to William T. Gratton;
- S. 2834. An act granting a pension to Anne M. Cluke;
- S. 4557. An act granting an increase of pension to Lucy E. Danilson;
- S. 4261. An act granting a pension to Frances M. Cellar;

- S. 3056. An act granting an increase of pension to Giles W. Taylor;
- S. 3624. An act granting a pension to Henry K. Davis;
- S. 2305. An act granting a pension to Eliza D. Pennypacker;
- S. 3223. An act granting an increase of pension to W. R. McMaster;
- S. 3729. An act granting an increase of pension to Prudence Tinney;
- S. 2217. An act granting a pension to Louise O'Leary;
- S. 1673. An act to grant an honorable discharge from the military service to Charles H. Hawley;
- S. 1382. An act for the relief of Frances S. Davidson;
- S. 403. An act for the relief of Theodore J. Arms, assistant paymaster in the United States Navy;
- S. 4615. An act to facilitate the entry of steamships engaged in the coasting trade between Porto Rico and the United States;
- S. 1923. An act for the relief of Henry Lane;
- S. 1897. An act to amend an act entitled "An act to relinquish the title of the United States to certain property in the city and county of San Francisco, Cal.;"
- S. 2471. An act for the relief of Olivia M. Clifford;
- S. 3173. An act to ratify an agreement with the Indians of the Crow Reservation, in Montana, and making appropriations to carry the same into effect;
- S. 4268. An act to increase the limit of cost for the purchase of site and the erection of a public building at Newport, Vt.;
- S. 2819. An act granting an increase of pension to Henry Van Gelder;
- S. 3806. An act granting an honorable discharge to John W. Tiffany;
- S. R. 82. Joint resolution for erecting a monument to the soldiers who fell in the battle of Talladega, Ala., on the 9th day of November, 1813, and for other purposes;
- S. 4270. An act to provide for the purchase of a site and the erection of a public building thereon at East St. Louis, in the State of Illinois;
- S. 1936. An act granting a pension to Mamie Craig Lawton;
- S. 2744. An act to create an additional life-saving district and authorizing certain changes in the serial numbers of existing districts;
- S. 3191. An act for the relief of the estate of James Young;
- The message also announced that the Senate had passed without amendment bills of the following titles:
- H. R. 92. An act to amend section 864 of the Revised Statutes of the United States, in relation to taking depositions de bene esse;
- H. R. 2834. An act to pay certain judgments against John C. Pates and Jonathan A. Yeckley, captain and first lieutenant in the United States Army, for acts done by them under orders of their superior officers;
- H. R. 2708. An act granting an increase of pension to Cecelia B. Chauncey;
- H. R. 7975. An act granting an increase of pension to William F. Riley;
- H. R. 7180. An act granting an increase of pension to Amelia A. Taylor;
- H. R. 2634. An act granting an increase of pension to Erasmus Darwin Steen;
- H. R. 4649. An act granting a pension to William Bates;
- H. R. 4398. An act granting a pension to Julius Vogt;
- H. R. 4355. An act granting an increase of pension to Oren E. Barber;
- H. R. 4086. An act granting an increase of pension to Jeremiah Lockwood;
- H. R. 9643. An act granting a pension to Ada E. Whaley;
- H. R. 1625. An act granting an increase of pension to Mary B. Douglass;
- H. R. 7230. An act granting an increase of pension to Roxie B. Salter;
- H. R. 6494. An act granting an increase of pension to Dorus M. Fox;
- H. R. 3514. An act granting an increase of pension to Mary A. C. Kaigler;
- H. R. 8107. An act granting a pension to Nancy W. Hadley;
- H. R. 4423. An act granting an increase of pension to William H. Brookins;
- H. R. 3778. An act granting an increase of pension to Ellsey A. Sloane;
- H. R. 8389. An act granting an increase of pension to Martin D. Miller;
- H. R. 4760. An act granting an increase of pension to Samuel G. Trine;
- H. R. 537. An act granting a pension to Lucy D. Young;
- H. R. 3490. An act granting an increase of pension to Freeman H. Farr;
- H. R. 9751. An act granting an increase of pension to David H. Drake;

H. R. 8799. An act granting an increase of pension to William Feek;

H. R. 548. An act granting a pension to Edward Harris;

H. R. 2321. An act granting a pension to Ida Wiederhold;

H. R. 4440. An act granting an increase of pension to Harriet L. Hughes;

H. R. 8801. An act granting an increase of pension to William H. H. MacDonald;

H. R. 5552. An act for the relief of Northup & Chick, and also of Thomas N. Stinson;

H. R. 2955. An act providing for the resurvey of township No. 8 of range No. 30 west of the sixth principal meridian in Frontier County, State of Nebraska;

H. R. 7740. An act to amend section 8 of the act of Congress entitled "An act to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations, in the Indian Territory, and for other purposes;"

H. R. 9163. An act granting a pension to Ferguson M. Burton;

H. R. 969. An act to amend section 5 of an act to relieve certain appointed or enlisted men of the Navy and Marine Corps from the charge of desertion, approved August 14, 1898.

The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 9884. An act authorizing the construction of a bridge across the Red River of the North;

H. R. 8559. An act granting an increase of pension to Margaret R. Clune;

H. R. 7418. An act granting an increase of pension to George Garrett;

H. R. 3267. An act granting an increase of pension to Jacob W. Moar; and

H. R. 5886. An act granting a pension to William H. Lane.

The message also announced that the Senate had excused from service Mr. SEWELL, on his own request, as a conferee on the bill (H. R. 8582) making appropriations for the support of the Regular and Volunteer Army for the fiscal year ending June 30, 1901, and that the President pro tempore had appointed Mr. PROCTOR to fill the vacancy.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring). That there be printed of the list of maps relating to America now in the Library of Congress, as submitted by the Librarian of Congress, 3,500 copies, of which number 1,000 shall be for the use of the Senate, 1,500 for the use of the House of Representatives, and 1,000 for the use of the Library of Congress, said document to be bound in cloth.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10538) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1901.

The message also announced that the Senate had further insisted upon its amendments to the bill (H. R. 9139) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1901, and for other purposes, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. SEWELL, and Mr. COCKRELL as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. PERKINS, and Mr. TILLMAN as the conferees on the part of the Senate.

CIVIL CODE FOR ALASKA.

The committee resumed its session.

The Clerk read as follows:

The governor shall from time to time inquire into the operations of any person, association, or corporation authorized by the Government of the United States, by contract or otherwise, to kill the seal or other fur-bearing animals in the district, and shall annually report to Congress the result of such inquiries and any and all violations by such person, company, association, or corporation of the agreement with the United States under which the operations are being conducted.

The following amendments proposed by the committee were read:

In line 33, after the word "person," insert the word "company."

In line 34 strike out the words "Government of the."

Line 35, after the word "kill," strike out the word "the."

Line 36, after the word "district," strike out the words "and shall annually report to Congress the result of such inquiries."

Line 39, after the word "conducted," insert "and shall annually report to Congress the result of such inquiries."

The CHAIRMAN. In the opinion of the Chair it would be

better to vote on these amendments by each paragraph separately rather than to wait until we have reached the end of the section, and without objection that manner of procedure will be followed. The question is upon agreeing to the amendments of the committee just reported.

The amendments were agreed to.

Mr. KING. Mr. Chairman, I should like to ask the gentleman a question. I see that you are making provision in the sections just read, as I understand them, that the Government shall pay all of the expenses for the maintenance of the insane. Is there any provision by which the people of that territory shall contribute anything toward the maintenance of their own government or pay any of the expenses of the same?

Mr. KNOX. There is no provision for taxation in Alaska by which revenue can be obtained, but this bill, together with the criminal code passed in the last Congress, contains a license system which is substantially a tax upon the people. I think the licenses collected last year amounted to about \$112,000, and under the license system in this bill there will be an income of about \$300,000, so that they will virtually be paying the expenses of running the government of the district of Alaska.

Mr. KING. There would be some personal property that would escape taxation.

Mr. KNOX. There is no system of taxation in Alaska at the present time.

Mr. KING. I should like to ask the gentleman whether the committee considered the question of taxing the property of the people by an ad valorem tax; and if not, why not?

Mr. PAYNE. The gentleman says there is no system of taxation there, and I agree with him; but there is a law that imposes taxes, although it may be without system.

Mr. DALZELL. A law providing for licenses on occupations, and so forth.

Mr. KNOX. I stated that.

Mr. PAYNE. You said there was no system of taxation, but there is taxation, although it may not be very systematic. I wish to ask the gentleman whether the bill provides that the money shall be paid out for the benefit of the people of Alaska, or whether it goes to the Treasury of the United States?

Mr. KNOX. Fifty per cent of it is to be expended for the benefit of the people of Alaska. The salary expenses to be paid by the Government are very great and it was thought that to allow 50 per cent to go to the Government and 50 per cent to be expended directly for the benefit of the people of Alaska, principally for education and for other purposes, would be as nearly equitable as it could be made.

Mr. PAYNE. The complaint of the people last year was that we were taxing them and that the money was going to the Federal Treasury instead of being expended for their benefit. It seems to me that the money ought all be turned over for their benefit, and then if there is any deficit, that is another question.

Mr. JONES of Washington. Does the bill provide that 50 per cent shall be expended for the benefit of the people of Alaska?

Mr. KNOX. Fifty per cent.

Mr. KING. Would it not be easy, with the Federal machinery there, to have applied a system of taxation?

Mr. KNOX. I do not see how. There are no titles to real estate, in the first place. There is no title to the land upon which houses stand. Real estate is in such a condition that it can not be taxed.

The cities and towns of Alaska have been maintained as voluntary associations. People get together and tax themselves to maintain a police force and fire department and to build streets and waterworks and all those things which municipalities require. There is now no power to impose taxes there.

Mr. KING. But could you not tax personal property and the improvements upon the land?

Mr. KNOX. I presume personal property might be taxed.

Mr. KING. And tax the capital stock of corporations?

Mr. KNOX. But there is no legislative power in that Territory.

Mr. KING. While you are making provision for all these heavy expenditures, why not make provision for the taxing of the people? They are the beneficiaries of the system of government to be provided. Why not let them pay some of the expenses?

Mr. KNOX. The answer to that is that this system of license fees, which applies to all classes of business—banking, insurance, law, and all kinds of business in the Territory—is a form of taxation upon the productive and earning capacity of the people. It does not impose a heavy burden, but it produces a sufficient amount, probably, to pay all the expenses of the government. Besides that, for municipal and town expenses the people there voluntarily tax themselves.

Mr. KING. If the gentleman will pardon me, it seems to me the better way would be to inaugurate a system of taxation and have a separate treasury, either here under the direction of the Treasurer of the United States, or some proper official there, and cover into that treasury all funds received from taxation there, and then charge against the amount so received for the legitimate

running expenses of the Territory. Then if there was a deficit, let the Federal Congress appropriate out of the Federal Treasury to meet that deficit.

Mr. KNOX. You must consider that this is not an organized Territory.

The CHAIRMAN. The Chair wishes to state that this debate is proceeding by unanimous consent only.

Mr. KING. I move to strike out the last word.

Mr. KNOX. We start with the fact that this is not an organized Territory, and we do not in this bill undertake to organize a Territory, so that we do not and can not provide the machinery that would otherwise be provided.

Mr. KING. I understand that; but the criticism I was leveling at this measure was not alone at the system of taxation, but at the failure of the committee to present before us a proper Territorial system of government.

Mr. KNOX. I should quite agree with you if I could have my way. I believe in organizing Alaska into a Territory of the United States.

Mr. KING. I think the gentleman is right, and I am sorry the committee could not bring in such a measure before the House.

Mr. KNOX. Our committee never had a chance to consider this bill.

Mr. KING. I do not see how the House can have an opportunity if the committee did not.

Mr. KNOX. I have tried to explain the way in which the bill came before the House. It is regarded merely as a temporary measure. Considering the vast number of people who are going in there and who will go there the coming season, it was thought absolutely necessary to pass a temporary measure to provide some form of government for that Territory.

Mr. WARNER. The gentleman says his committee has not had any time to consider this bill. I think the committee has had about two months to consider 28 sections of it. I simply want to correct that statement, and do not want it to stand in the RECORD.

Mr. KNOX. I am not finding fault with anybody.

The Clerk read as follows:

SEC. 4. There is hereby established a district court for the district, which shall be a court of general jurisdiction in civil, criminal, equity, and admiralty causes; and three district judges shall be appointed for the district, who shall, during their terms of office, reside in the divisions of the district to which they may be respectively assigned by the President.

The CHAIRMAN. The question is upon the amendment of the committee, to strike out the word "equity," in line 3.

The question was taken, and the amendment was agreed to.

Mr. DAYTON. Mr. Chairman, I want to offer an amendment to line 3, in section 4—the last word in line 3. Strike out the word "three" and insert "two."

In proposing this amendment, Mr. Chairman, I want to say to the members of the House that I shall follow it up, provided it shall meet with the favor of the Committee of the Whole, with amendments that will provide for two instead of three judges, two clerks, two marshals, and two United States district attorneys for this district of Alaska.

I want to say, Mr. Chairman, as a member of the Committee on Revision of the Laws, with the highest consideration for all that we have been told about this measure, that I deem it a piece of gross extravagance in the present condition of this Territory to provide for three judges, three marshals, three district attorneys, and three clerks, as this bill provides for. I am well aware, Mr. Chairman, that in a specious way it may be stated that Alaska is a vast Territory, that it covers a scope of country involving a size many times over any of our ordinary States.

I am very well aware, too, that it may be stated that this country is growing and increasing in its population; but I want to place side by side with this consideration that may be presented in favor of this proposition the bald statement made before our committee, by one who came from Alaska in the interest of this bill, that there are in that whole Territory to-day not exceeding 30,000 permanent citizens, for which this bill, therefore, proposes to establish three different judges, with a like number of marshals, clerks, and district attorneys for a number of people, a citizenship less than that of any State in this Union, yes, less than almost any Congressional district in this Union.

It seems to me that the proposition is in the light of this fact so clear as to carry upon its face at least the suspicion that there is an effort to establish in this district in advance, and upon the presumption that there is to be a great country here, offices which some ones are to fill. I do not desire to cast any reflection upon the committee either of Territories or Revision of the Laws, to which this bill has been referred; but it does seem to me to be a plain, clear proposition that when States of this Union with over a million inhabitants have only one judge a territory where there is such a small population as this can at least for the present do with two.

We are not to forget the fact that the needs, requirements, and interests of this territory can be met in the future, and we are not legislating for all time. This measure, as the gentleman from Massachusetts himself has just stated, is for the temporary relief

of Alaska; and it seems to me that we ought not to forget further, Mr. Chairman, that we, as representatives of the people's money, have to stand here constantly to repel and prevent the multiplication of offices. There will be a future, and it will be a great one for this country, I hope and trust; and I believe that the American Congress will be liberal in the future in providing for its needs and requirements; but I can not reconcile it—

The CHAIRMAN. The time of the gentleman has expired.

Mr. KNOX. I ask unanimous consent that the time of the gentleman may be extended five minutes.

There was no objection.

Mr. KING. Will the gentleman permit an inquiry there?

Mr. DAYTON. Certainly; I want to get at the facts.

Mr. KING. Has the gentleman offered an amendment reducing the judiciary?

Mr. DAYTON. I have; and I am speaking to that amendment.

Mr. KING. I did not hear the gentleman offer his amendment.

Mr. DAYTON. We are in this situation under the scheme of this bill: There are provided three judges and three places for holding courts—one at Nome City, one at Juneau, and the other at Circle City or, as it is now, Eagle City. Two of these divisions, the one at Juneau and the one at Nome City, are in the mining regions and where the towns are, and, as I understand the evidence and information brought before the Committee on the Revision of the Laws, the one located at Eagle City is where there are no mining operations going on and where there is substantially no population.

Mr. COOPER of Wisconsin. Will the gentleman permit me an inquiry at that point?

Mr. DAYTON. Yes.

Mr. COOPER of Wisconsin. What is the distance between those cities?

Mr. DAYTON. Thousands of miles, I should say.

Mr. COOPER of Wisconsin. Is not that one reason why there might not be three judges, but where in a State, densely populated, with many railroads, there would only be one court or two?

Mr. DAYTON. As I stated in the beginning of my remarks, I can not conceive why a vast area of barren land requires a judge to enforce the laws where there are no people to violate them.

Mr. WARNER. Will the gentleman permit me a moment?

Mr. DAYTON. Certainly.

Mr. WARNER. Do you know where Eagle City is?

Mr. DAYTON. I have not had the pleasure of ever being in Eagle City.

Mr. WARNER. You have stated that it is not in the mining country. Do you know where it is?

Mr. DAYTON. I think I know, generally.

Mr. WARNER. Where is it?

Mr. DAYTON. I do not yield to the gentleman to ask me such a question.

Mr. WARNER. I simply want to correct you.

Mr. DAYTON. If you want to make a statement, do not take up any more of my time than you can help.

Mr. WARNER. I will take up as little as possible. I want to correct you in your statement. Eagle City is on the eastern border of Alaska, a few miles from the Canadian border, with rich mining interests all around the country. It is near the end of the Canadian telegraph line, and it is on a line surveyed by our people for travel up through there, and is an important point in Alaska.

Mr. DAYTON. Members of the Committee on the Revision of the Laws will bear me out that a statement was made that there was hardly any population at this point, and I understood it to be at Eagle City.

Mr. WARNER. That was Circle City, but we have changed it to Eagle City.

Mr. DAYTON. Ah! At the time this matter was considered, a division of the court was located at Circle City, and since that time, by your amendment, you have transferred it to Eagle City, making these places for holding these terms of court substantially, as I understand it, in a mining region and cutting off the vast majority of the Territory. Now, if that be true and that be the effect of this amendment—and I confess I did not understand it so—if that be the effect of it, you are substantially providing for these terms of court to be held not thousands of miles, as I answered the gentleman from Wisconsin, but altogether in the mining section of the country.

But it brings out stronger the impression that the purpose is to manufacture these places in order that they may be filled. In support of this matter let me call attention to the fact that when this bill came over from the other House it provided for ten officers which the House Committee on the Revision of Laws have sericken out. These officers are called commissioners; and what are they substantially? They are justices of the peace.

The court has full power under this law to provide for as many commissioners as are necessary, and then, to provide for some additional places, 10 commissioners were provided for with a salary of \$1,200 above the fees, and they were to be appointed by the

President. I am glad to say that the House committee could not stand that and will recommend that these positions be stricken out. What I insist is that, for the population already there, two judges with full power to appoint these commissioners, who will exercise the duties of justices in their different localities, will be amply sufficient to administer the law.

Mr. KING. Mr. Chairman, I sympathize with the remarks of the gentleman who has just addressed the committee. Of course, in reference to the proposed amendment, not having been a member of the committee, I speak more or less at random and without special information concerning the conditions in Alaska. But, Mr. Chairman, I have had some little experience with the needs of Territories, having lived for years in a Territory, and am somewhat familiar with the judicial procedure there obtaining; with the character of the courts. Therefore I know something of the kind of legislation which is required and what work is devolved upon the judicial officers of the Territories.

It does seem to me that, with the population which Alaska possesses, there is absolutely no necessity for three judges. In most of the Territories but three judges were provided by the Federal Government, and those judges had not only nisi prius work to perform, but they acted as an appellate court and had to discharge the important functions of that position.

In the Territory in which I resided there were only three judges for many years; subsequently Congress provided four. Here was a Territory that had 300,000 people and very important litigation—mining litigation, irrigation litigation, commercial litigation.

I am familiar with the territory now comprising the State of Wyoming. There were but three judges in Wyoming, and they easily performed all the work incident to that thriving and prosperous Commonwealth.

Now, Mr. Chairman, it does seem to me that there is no necessity for three judges in the Territory of Alaska. As stated, they have no appellate work to perform; they only have to hold court twice a year in any particular place, and that will answer all the demands of litigants. In fact, some of the Territories, under a Territorial system, a term of court once a year was all that was required, and it was adequate to meet all the demands of the people.

Mr. DAYTON. Will the gentleman allow me a suggestion?

Mr. KING. Certainly.

Mr. DAYTON. I want to say that this bill only provides for one term of court a year in each one of these subdivisions by each one of the judges, except such special terms as he may call.

Mr. KING. I thank the gentleman for the suggestion. It seems to me that it is sufficient to provide for holding only one term a year if authority is given to the governor or some other proper official to convene the court at such place and time within the district as the business interests of the people may require.

I do think that two judges will be all that people there require, and I shall heartily vote for the amendment to strike out the word "three" and insert "two."

This bill is not satisfactory to me, and it should receive many emendations before securing the support of members. It denies self-government to the people of Alaska. It attempts to govern them at "long range."

It legislates too much. There should be a local legislative body provided, a system of local taxation inaugurated, and a Territorial form of government offered.

There are too many offices created; too high salaries are to be paid.

This is a bill to deny the people of Alaska local self-government, and to provide good berths for hungry office seekers.

Mr. KNOX. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. JENKINS reported that the Committee of the Whole House on the state of the Union had had under consideration the Senate bill 3419 and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. BAKER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 2757. An act to authorize the purchase of certain lands in the district of Alaska; and

H. R. 3334. An act to amend section 3005 of the Revised Statutes of the United States.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2003. An act fixing the compensation of customs inspectors at the port of New York in lieu of extra compensation for night services hereafter to be rendered in the examination of baggage, and for other purposes—to the Committee on Ways and Means.

S. 4615. An act to facilitate the entry of steamships engaged in

the coasting trade between Porto Rico and the United States—to the Committee on Interstate and Foreign Commerce.

Senate concurrent resolution:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be directed to cause a survey to be made and an estimate submitted of the cost of dredging and otherwise improving the Colorado River between El Dorado Canyon and Riolville, Nev., with a view to the extension of navigation on said river to Riolville—

to the Committee on Rivers and Harbors.

Mr. WARNER. I move that the House do now adjourn.

Mr. JAMES R. WILLIAMS. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. JAMES R. WILLIAMS. I desire to ask unanimous consent for a change of reference of a resolution which I introduced yesterday.

The SPEAKER. The Chair can not recognize the gentleman for that purpose. The Chair has been examining the matter of which the gentleman speaks, and it has been correctly referred to the Committee on Rules.

The motion of Mr. WARNER that the House adjourn was agreed to; and accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the chairman of the Industrial Commission, transmitting a preliminary report on the subject of transportation—to the Committee on Labor, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, a recommendation for the repeal of the act of June 12, 1876, regarding the causeway at Nevills Island, Ohio River—to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. DALY of New Jersey, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the Senate (S. 3301) to provide an American register for the barge *Davidson*, reported the same without amendment, accompanied by a report (No. 1568); which said bill and report were referred to the House Calendar.

Mr. CURTIS, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 8635) to confirm title to certain land to the Indians of the pueblo of Zuni, in the Territory of New Mexico, reported the same without amendment, accompanied by a report (No. 1571); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4421) granting an increase of pension to Albert Brown, reported the same without amendment, accompanied by a report (No. 1518); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7158) to increase the pension of Levi S. Parrott, reported the same with amendment, accompanied by a report (No. 1519); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1603) granting a pension to Eleanor R. Sullivan, reported the same without amendment, accompanied by a report (No. 1520); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3767) granting a pension to John W. Hartley, reported the same with amendment, accompanied by a report (No. 1531); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2462) granting an increase of pension to Emma L. Du Bois, reported the same without amendment, accompanied by a report (No. 1522); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to

which was referred the bill of the Senate (S. 1226) granting an increase of pension to George G. Kemp, reported the same without amendment, accompanied by a report (No. 1523); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2111) granting a pension to Ira Doane, reported the same without amendment, accompanied by a report (No. 1524); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10784) granting an increase of pension to Oliva J. Baker, reported the same with amendment, accompanied by a report (No. 1525); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3306) granting an increase of pension to Lucinda D. Dow, reported the same without amendment, accompanied by a report (No. 1526); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 244) granting a pension to Mary Jane McLaughlin, reported the same without amendment, accompanied by a report (No. 1527); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8535) granting an increase of pension to Andrew E. Dunham, reported the same with amendment, accompanied by a report (No. 1528); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2831) granting an increase of pension to Ermine D. Cabbell, reported the same without amendment, accompanied by a report (No. 1529); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2218) granting a pension to Mary R. Dean, reported the same without amendment, accompanied by a report (No. 1530); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5643) granting a pension to Elizabeth Beesley, reported the same with amendment, accompanied by a report (No. 1531); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3880) granting an increase of pension to Clara E. Colbath, reported the same without amendment, accompanied by a report (No. 1532); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2152) granting a pension to Olive W. Lay, reported the same without amendment, accompanied by a report (No. 1533); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5944) granting a pension to Jeremiah Everly, reported the same with amendment, accompanied by a report (No. 1534); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10725) granting a pension to Mae Pearman, reported the same with amendment, accompanied by a report (No. 1535); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2985) granting a pension to John Erb, reported the same without amendment, accompanied by a report (No. 1536); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4356) granting an increase of pension to Henry G. Bigelow, reported the same with amendment, accompanied by a report (No. 1537); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3609) granting a pension to Agnes B. Hoffman, as widow of William G. Hoffman, late first lieutenant, Third United States Cavalry, reported the same with amendment, accompanied by a report (No. 1538); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1347) granting an increase of pension to Marie Sharpe, reported the same without amendment, accompanied by a report (No. 1539); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2557) granting a pension to Josephine Brown, reported the same without amendment,

accompanied by a report (No. 1540); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11159) granting a pension to John W. Phillips, reported the same without amendment, accompanied by a report (No. 1541); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3235) granting a pension to Andrew Ferguson, reported the same without amendment, accompanied by a report (No. 1542); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3049) granting an increase of pension to Mary V. Wilmarth, reported the same without amendment, accompanied by a report (No. 1543); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2190) granting a pension to Emma J. Bidwell, reported the same without amendment, accompanied by a report (No. 1544); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8263) to pension Lula M. Jones, reported the same with amendment, accompanied by a report (No. 1545); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1600) granting a pension to Lucy B. Bryson, reported the same with amendment, accompanied by a report (No. 1546); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2774) granting an increase of pension to John H. Wilcox, reported the same without amendment, accompanied by a report (No. 1547); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4256) granting a pension to James H. Thomas, reported the same without amendment, accompanied by a report (No. 1548); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3536) restoring to the pension roll the name of Mary J. Calvin, reported the same without amendment, accompanied by a report (No. 1549); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8297) granting an increase of pension to Albert Buck, reported the same with amendment, accompanied by a report (No. 1550); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1599) granting an increase of pension to Cornwell M. Brill, reported the same without amendment, accompanied by a report (No. 1551); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2830) granting a pension to Ailsie Bennett, reported the same without amendment, accompanied by a report (No. 1552); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1876) granting an increase of pension to John J. Wilson, reported the same without amendment, accompanied by a report (No. 1553); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9266) granting an increase of pension to James H. Caldwell, reported the same with amendment, accompanied by a report (No. 1554); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8027) to pension William R. Miller, reported the same with amendment, accompanied by a report (No. 1555); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3466) granting an increase of pension to John F. Hutchison, reported the same without amendment, accompanied by a report (No. 1556); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3470) granting a pension to Rosalia Tejedor Brinckerhoff, reported the same without amendment, accompanied by a report (No. 1557); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which

was referred the bill of the Senate (S. 218) granting an increase of pension to Sarah E. Tate, reported the same without amendment, accompanied by a report (No. 1558); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3505) granting an increase of pension to Edwin Culver, reported the same without amendment, accompanied by a report (No. 1559); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4080) granting a pension to James E. Arvin, Teresa Arvin, and Anna Arvin, reported the same with amendment, accompanied by a report (No. 1560); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1845) granting pensions to William Allen and Isaac Garman, reported the same with amendment, accompanied by a report (No. 1561); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2540) granting an increase of pension to Byron Kurtz, reported the same without amendment, accompanied by a report (No. 1562); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2543) granting an increase of pension to Edward A. Parmelee, reported the same without amendment, accompanied by a report (No. 1563); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3127) granting an increase of pension to Maj. A. Northrop, reported the same without amendment, accompanied by a report (No. 1564); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1348) granting an increase of pension to Eliza M. Stillman, reported the same without amendment, accompanied by a report (No. 1565); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 751) granting an increase of pension to Mathew T. Jones, reported the same without amendment, accompanied by a report (No. 1566); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4077) granting a pension to Frances Horton Force, reported the same without amendment, accompanied by a report (No. 1567); which said bill and report were referred to the Private Calendar.

Mr. PARKER of New Jersey, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 2472) to correct the military record of John H. Finfrock, reported the same without amendment, accompanied by a report (No. 1570); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Mississippi, from the Committee on War Claims, reported a resolution of the House (H. Res. 267) referring certain claims to the Court of Claims for a finding of facts under the terms of the act of March 3, 1887, and generally known as the "Tucker Act," accompanied by a report (No. 1572); which said resolution and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, Mr. SHATTUC, from the Committee on Immigration and Naturalization, to which was referred the resolution of the House (H. Res. 258) requesting information as to the number of Japanese immigrants who have entered the United States, reported it adversely, accompanied by a report (No. 1569); which said resolution was ordered to lie on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. CURTIS: A bill (H. R. 11647) to provide for the registration of married Indians, and for the licensing, the legal performance, and the recording of marriages among reservation Indians, or between reservation Indians and others; and to make definite and to record the family relations of Indians who have not yet received allotments of land in severalty—to the Committee on Indian Affairs.

By Mr. JENKINS: A bill (H. R. 11648) to provide for the closing of part of an alley in square 169, in the city of Washington, D. C., and for the sale thereof to the Young Men's Christian Association of the city of Washington—to the Committee on the District of Columbia.

By Mr. FOSS: A bill (H. R. 11649) to provide for the acquire-

ment by the United States of lands and rights therein necessary to the establishment of a naval station in Pearl Harbor, island of Oahu, Hawaii, and for the dredging of approaches to said harbor—to the Committee on Naval Affairs.

By Mr. ALLEN of Maine: A bill (H. R. 11650) relating to certain railway corporations owning or operating street railways in the District of Columbia—to the Committee on the District of Columbia.

By Mr. McCALL: A bill (H. R. 11651) requiring corporations operating street railways within the District of Columbia to equip open cars with guard rails, and for other purposes—to the Committee on the District of Columbia.

By Mr. HEATWOLE: A concurrent resolution (H. C. Res. 46) for printing proceedings of the Board of Supervising Inspectors of Steam Vessels—to the Committee on Printing.

By Mr. JONES of Virginia: A resolution (H. Res. 266) directing the Secretary of War to furnish certain information—to the Committee on Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. CORLISS: A bill (H. R. 11652) to increase the pension of Peter Pontney—to the Committee on Invalid Pensions.

By Mr. DAVIDSON: A bill (H. R. 11653) granting an increase of pension to Jane Ann Ward—to the Committee on Invalid Pensions.

By Mr. GROUT: A bill (H. R. 11654) removing the charge of desertion from the military record of William Gibson—to the Committee on Military Affairs.

By Mr. McLAIN: A bill (H. R. 11655) for the relief of the estate of F. W. Harris, deceased—to the Committee on War Claims.

By Mr. MAHON: A bill (H. R. 11656) granting an increase of pension to William J. Jackman—to the Committee on Invalid Pensions.

By Mr. MAY: A bill (H. R. 11657) for the relief of Frank S. Taft—to the Committee on Military Affairs.

By Mr. NAPHEN: A bill (H. R. 11658) to place on pension roll the name of Mary I. Nelson—to the Committee on Invalid Pensions.

By Mr. OTJEN: A bill (H. R. 11659) to pay claimants for goods and effects lost or destroyed by fire at Ellis Island, N. Y., on June 15, 1897—to the Committee on Claims.

By Mr. RAY of New York: A bill (H. R. 11660) granting an increase of pension to Henry T. Dunbar—to the Committee on Invalid Pensions.

By Mr. WISE: A bill (H. R. 11661) for the relief of the trustees of Oakgrove Methodist Church, of Norfolk County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 11662) for the relief of the Norfolk Seamen's Friend Society, of Norfolk, Va.—to the Committee on War Claims.

By Mr. CATCHINGS: A bill (H. R. 11663) for the relief of the estate of Dr. Thomas B. Magruder, deceased—to the Committee on War Claims.

By Mr. RIDGELY: A bill (H. R. 11664) granting a pension to Josiah Moosa—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of Grange No. 1103, Patrons of Husbandry, and farmers in the State of Pennsylvania, in favor of Senate bill No. 1439, relating to an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. ADAMS: Petition of Forest City Lodge, No. 10, Cleveland, Ohio, against any legislation regulating the manufacture of butterine—to the Committee on Agriculture.

Also, resolutions of the Maritime Association of the Port of New York, in favor of Senate amendments to House bill No. 8347, restoring the appropriations for the maintenance of the Hydrographic Office—to the Committee on Naval Affairs.

By Mr. ALDRICH: Petition of W. E. Lloyd and other citizens of Anniston, Ala., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. BENTON: Petition of Hampton Post, No. 546, Grand Army of the Republic, of Newport, Mo., in favor of the establishment of a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. BOWERSOCK: Resolutions of Forest City Lodge, Cleveland, Ohio, against the passage of the Grout bill taxing butterine, etc.—to the Committee on Agriculture.

Also, resolution of the Kansas City Live Stock Exchange, requesting the passage of a bill permitting cattle to remain on cars in transit forty hours instead of twenty-eight hours, as now provided by law—to the Committee on Interstate and Foreign Commerce.

By Mr. CATCHINGS: Papers to accompany House bill relating

to the claim of Thomas B. Magruder—to the Committee on War Claims.

By Mr. COOPER of Wisconsin: Petition of farmers of Walworth County, Wis., in favor of the Grout bill increasing the tax on oleomargarine—to the Committee on Agriculture.

By Mr. CORLISS: Petition of S. Granger and other citizens of Detroit, Mich., in favor of the Bowersock anti-canteen bill—to the Committee on Insular Affairs.

Also, petition of W. Dupont and other druggists of Detroit, Mich., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. DAVIDSON: Resolutions of Oshkosh Typographical Union, No. 211, of Oshkosh, Wis., favoring the passage of House bill No. 6872, providing that the Allied Printing Trades label be used on all Government publications—to the Committee on Printing.

Also, petition of Henry Rollman and other citizens of Chilton, Wis., favoring the passage of the Brosius pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Ministerial Association of Oshkosh District of the Methodist Episcopal Church, of Wisconsin, in favor of the anti-canteen bill—to the Committee on Military Affairs.

Also, petition of Hall & Weeden, Oshkosh, Wis., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

Also, resolutions of Ed. Saxe Post, Grand Army of the Republic, Department of Wisconsin, favoring Senate bill No. 283, in reference to the civil service and appointments, as reported with an amendment—to the Committee on Reform in the Civil Service.

Also, resolutions of Grand Army of the Republic posts, Department of Wisconsin, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. DRISCOLL: Petitions of citizens of Spafford, Lenox, Brookfield, Georgetown, Manlius, Cazenovia, and Solville, N. Y., for the enactment of a law making dairy products subject to the laws of the State or Territory into which they are imported—to the Committee on Interstate and Foreign Commerce.

Also, petition of Theodore H. Kemtar and other druggists of Syracuse, N. Y., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. ELLIOTT: Petition of D. C. Scott and others, of Kingstree, S. C., for the repeal of the stamp tax on proprietary medicines—to the Committee on Ways and Means.

By Mr. HAY: Papers relating to the claim of Philip Machir, of Virginia—to the Committee on War Claims.

By Mr. HEDGE: Petition of Royal P. Bogne and other citizens, of Salem, Iowa, for the passage of a bill to forbid liquor selling in canteens and in the Army, Navy, post exchanges, etc.—to the Committee on Military Affairs.

By Mr. JACK: Papers to accompany House bill No. 11440, increasing the pension of Capt. Joseph B. Smith—to the Committee on Invalid Pensions.

Also, petitions of sundry churches and societies of Mount Pleasant, Baxter, Crenshaw, Reynoldsville, Stanton, Olivet, Kittanning, and Ford City, Pa., in favor of the Bowersock anti-canteen bill—to the Committee on Military Affairs.

By Mr. JENKINS: Petition of chiefs, headmen, speakers, and other members of the Lac Courte Oreilles band of Lake Superior Indians, urging favorable action upon Senate bill 2476 and House bill No. 6446, relating to certain treaty stipulations—to the Committee on Indian Affairs.

By Mr. JONES of Washington: Resolutions of Morton Post, No. 10, Department of Washington and Alaska, Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. MCALEER: Resolutions of Civil War Veterans' Association, New York, favoring Senate bill No. 283, in reference to the civil service and appointments, as reported with an amendment—to the Committee on Reform in the Civil Service.

Also, protest of Drexel Biddle, publisher, Philadelphia, Pa., against the passage of House bill No. 10275, as being detrimental to the business of news dealers—to the Committee on the Post-Office and Post-Roads.

Also, petition of Pure Butter Protective Association, Philadelphia, Pa., in favor of the bill to increase the tax on oleomargarine—to the Committee on Agriculture.

Also, petition of the New York Branch of the National Association of Civil-Service Employees of the Navy Department, urging the passage of House bill relating to leave of absence with pay to certain employees of the Government—to the Committee on Naval Affairs.

By Mr. MAHON: Papers to accompany House bill for the relief of William J. Jackman—to the Committee on Invalid Pensions.

By Mr. MAY: Papers to accompany House bill for the relief of Frank S. Taft—to the Committee on Military Affairs.

By Mr. NEVILLE: Petition of members of Post No. 265 De-

partment of Nebraska, Grand Army of the Republic, in support of House bill No. 4742, to provide for the detail of active and retired officers of the Army and Navy to assist in military education in public schools—to the Committee on Military Affairs.

Also, petition of T. F. Maher Post, No. 267, of Department of Nebraska, Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

Also, affidavit to accompany House bill No. 11314, granting a pension to John F. Powers, of Sheridan County, Nebr.—to the Committee on Invalid Pensions.

By Mr. OLMSTED: Petitions of churches and associations and citizens of Lebanon, Pa., for the passage of the Bowersock anti-canteen bill—to the Committee on Military Affairs.

By Mr. OVERSTREET: Petition of M. Lichty & Co. and other retail druggists of Indianapolis, Ind., for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

By Mr. RICHARDSON: Petition of John T. Cunningham, of Coffee County, Tenn., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROBERTS: Petitions of the Woman's Christian Temperance Union of East Lynn, Mass., and Associate Church and Baptist Church, of Revere, Mass., urging the passage of the Bowersock bill preventing the sale of liquor upon premises used for military purposes—to the Committee on Military Affairs.

By Mr. ROBINSON of Indiana: Petition of I. A. Schanep, pharmacist, of Collamer, Ind., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. SHERMAN: Petition of E. L. Bentley Post, No. 265, Department of New York, Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

Also, petition of citizens of Utica, N. Y., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

By Mr. SULZER: Petition of Dr. George F. Leick and others, composing a committee of societies in Cleveland, Ohio, urging the Government to use its friendly offices to bring about a cessation of hostilities between Great Britain and the South African republics—to the Committee on Foreign Affairs.

By Mr. TOMPKINS: Papers to accompany House bill granting a pension to Biana Blenker—to the Committee on Invalid Pensions.

By Mr. WISE: Petition of the Norfolk Seamen's Friend Society, to accompany House bill for the relief of the Seamen's Bethel Church at Norfolk, Va.—to the Committee on War Claims.

SENATE.

FRIDAY, May 18, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

IMPORTATION OF JAPANESE LABORERS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 16th instant, a report from the Commissioner-General of Immigration relative to the importation of Japanese laborers under contract in violation of the contract-labor laws; which, with the accompanying papers, was referred to the Committee on Immigration, and ordered to be printed.

DEPARTMENT OF THE INTERIOR, BUILDINGS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior submitting estimates of deficiencies in appropriations for repairs of buildings, Department of the Interior, 1900, for removal of offices of Interior Department to the old Post-Office Department building, \$3,500; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

REPAIRS OF COAST DEFENSES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War submitting an estimate of appropriation for "repairs of coast defenses" for the fiscal year 1901, \$92,680; which, with the accompanying papers, was referred to the Committee on Coast Defenses, and ordered to be printed.

COAST ARTILLERY TARGET PRACTICE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War submitting an estimate of appropriation for subcaliber tubes, fittings, and ammunition for coast